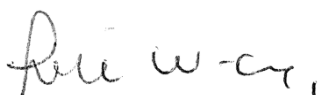


Date of issue: Friday, 11 January 2019

MEETING:	CABINET	
	Councillor Swindlehurst	Leader of the Council and Cabinet Member for Regeneration & Strategy
	Councillor Hussain	Deputy Leader of the Council and Cabinet Member for Transformation & Performance
	Councillor Anderson	Environment & Leisure
	Councillor Carter	Planning & Transport
	Councillor Mann	Regulation & Consumer Protection
	Councillor Nazir	Corporate Finance & Housing
	Councillor Pantelic	Health & Social Care
	Councillor Sadiq	Children & Education
DATE AND TIME:	MONDAY, 21ST JANUARY, 2019 AT 6.30 PM	
VENUE:	VENUS SUITE 2, ST MARTINS PLACE, 51 BATH ROAD, SLOUGH, BERKSHIRE, SL1 3UF	
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE	
	01753 875120	

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.



JOSIE WRAGG
Chief Executive

AGENDA

PART I



sustainable
forest

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		
1.	Declarations of Interest	-	-
	<i>All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 4 paragraph 4.6 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.</i>		
2.	Minutes of the Meeting held on 17th December 2018	1 - 6	-
3.	Housing Rents & Service Charges 2019/20	7 - 12	All
4.	Council Tax Support Scheme 2019-20	13 - 24	All
5.	Business Rates Policies 2019/20 - Retail Discounts	25 - 38	All
6.	Delegation of CHC Commissioning, Placement, Procurement and Contract Management Functions	39 - 50	All
7.	Contract in Excess of £250,000 - Bus Services	51 - 54	All
8.	Nova House: Update on Progress	55 - 62	Central
9.	References from Overview & Scrutiny	63 - 64	All
	<ul style="list-style-type: none"><i>O&S, 10th January 2019: Chalvey Regeneration Strategy</i>		
10.	Notification of Forthcoming Decisions	65 - 76	All
11.	Exclusion of Press and Public	-	-
	It is recommended that the Press and Public be excluded from the meeting during consideration of the item in Part 2 of the Agenda, as it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the Authority holding the information) as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (amended).		
	PART II		
12.	Part II Minutes - 17th December 2018	77 - 80	-
13.	Nova House: Update on Progress and Facility for the Remedial Works Programme	81 - 200	Central

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. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

Note:-

Bold = Key decision

Non-Bold = Non-key decision

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Cabinet – Meeting held on Monday, 17th December, 2018.

Present:- Councillors Swindlehurst (Chair), Hussain (Vice-Chair), Anderson, Carter, Mann, Nazir, Pantelic and Sadiq (from 7.08pm)

Also present under Rule 30:- Councillors Strutton and Wright

PART 1

74. Declarations of Interest

Councillor Nazir declared a personal interest in item 12: Disposal of Former Chalvey Youth and Community Centre, Darvills Lane, Slough in that he was a former member of the proposed purchaser.

75. Minutes of the Meeting held on 19th November 2018

Resolved – That the minutes of the meeting of the Cabinet held on 19th November 2018 be approved as a correct record.

76. 2019/20 Medium Term Financial Strategy - Tranche 1 Savings Proposals

The Service Lead Finance introduced a report that updated Lead Members on the Medium Term Financial Strategy (MTFS) 2019/20 to 2022/23.

The revenue budget gap for next year had been reduced from £3.2m to £1.7m since the previous report to Cabinet in October 2018 and further work was underway to close the gap to enable to Council to set a balanced budget in February 2019. The Cabinet considered the proposed savings in Appendix A to the report. Each saving was being rigorously assessed through the 'Star Chamber' process to ensure they were realistic and achievable. There were significant pressures on the Council's budget including temporary accommodation, Schools PFI and home to school transport and provision would be made for these in the budget.

The key announcements from the recent Local Government Finance Settlement were summarised and it was noted that this would result in some additional income to the Council such as through the Berkshire wide Business Rates pilot and New Homes Bonus. Members also highlighted the potential impact of the NHS 10-year plan and adult social care Green Paper which were both due to be published imminently.

The Cabinet noted the update and agreed to include the proposed savings in the budget to be recommended to full Council in February 2019.

Resolved –

- (a) The Medium Term Financial Strategy and the associated figures and projections contained within the report be noted.

- (b) The savings listed in Appendix A to the report be approved in principle, to allow officers sufficient time to plan and ensure they are able to be implemented, if agreed at Full Council on 21 February 2019, from the start of the next financial year.

77. Council Taxbases for 2019/20

The Service Lead, Finance introduced a report setting out the Council taxbase for 2019-20 which the Council was required to set by 31st January.

The taxbase had been steadily increasing by approximately 1% annually in recent years to 2.6% in the current year projection. This was equivalent to a net increase of 1,066.4 properties. A Council Tax collection rate of 98.4% had been set for the next year, which was the same as the current year.

The Council was currently forecasting a breakeven position on the Collection Fund, which would be finalised for the budget setting period. In relation to Business Rates, the Council was yet to receive the NNDR1 form from the Ministry of Housing, Communities and Local Government and it was therefore proposed and agreed that the Section 151 Officer be given delegated authority to complete and return this form, following consultation with the Lead Member for Corporate Finance & Housing. Similar delegations were also approved to adjust the taxbase, if required, to take account of any new Government guidance or property information that was received. The Cabinet also considered and agreed that the level of Council Tax discount for long-term empty properties remained at 0%.

At the conclusion of the discussion, the Cabinet agreed the recommendations as proposed.

Resolved –

- (a) That the level of Council Tax discount in respect of second homes remain at 0%.
- (b) That the level of discount in respect of long-term empty properties remain at 0%, and Slough Borough Council continued with the charge of a 100% Empty Home Premium for properties that have been empty longer than 2 years.
- (c) That the collection rate for Council Tax for 2019/20 be set at 98.4%. This was the same rate as for 2018/19.

78. Public Spaces Protection Orders

The Lead Member for Regulation & Consumer Protection and the Neighbourhood Manager introduced a report that sought approval for a Public Space Protection Order (PSPO) for Langley St Mary's, Foxborough and Colnbrook with Poyle to address current ongoing issues of anti-social behaviour affecting the local community.

The Council and Thames Valley Police had received numerous complaints over the past year about the use of devices to launch missiles at members of the public, animals and property. Discussions with the Police had led to the recommendation of a PSPO to proactively seek to tackle the problem and this approach was supported by the Neighbourhood Action Group. The PSPO would create an offence to possess or fail to surrender certain specified items including catapults or slingshots in the three wards as stated in the PSPO at Appendix One to the report. Offences would carry a fixed penalty notice (FPN) of £100 or prosecution.

The Cabinet was supportive of the proactive approach being taken in response to the incidents, many of which had happened in Colnbrook. The intention of widening the PSPO to neighbouring wards was to discourage possible displacement whilst ensuring it was proportionate to the level of offences. Members discussed how the PSPO would be enforced and how the level of the FPN was set. It was noted that the £100 figure had been proposed in line with national guidance.

At the conclusion of the discussion, the Cabinet agreed to introduce the PSPO for Langley St Mary's, Foxborough and Colnbrook with Poyle.

Resolved – That a Public Spaces Protection Order Langley St Mary's, Foxborough and Colnbrook with Poyle wards as at Appendix 1 to the report be approved to address current ongoing issues of anti social behaviour affecting the local community for a maximum period of three years as defined by the Anti Social behaviour Crime and Policing Act 2014.

79. Slough Cycle Hire and Hub Update

The Access Fund Project Manager introduced a report that updated the Cabinet on the progress of cycle hire and hub scheme.

There were currently seventeen docking stations in the cycle hire scheme. Changes were being made to the management model which would improve back-office operation and user experience, for example by making it easier to register and pay to use the scheme. Links to the 'Slough Card' were being explored to deliver more benefits to residents. Once the new system was in place there would be further efforts to widely promote the scheme and encourage uptake. Lead Members highlighted the importance of raising awareness of the scheme and asked how this would be done. There were plans to host a number of cycling events and promotions through the year including Bike Week.

The cycle hub on Brunel Way had closed on 31st September 2018 due to low usage. The Council was in the process of identifying a suitable alternative location in the vicinity of the station. Members discussed the location options and it was noted that there had been dialogue with GWR and Network Rail to review potential sites.

The Cabinet recognised the importance of the cycle hire and hub schemes in promoting sustainable transport in Slough. Lead Members commented on the need to further improve the schemes and continue to put in place safe cycling routes and other infrastructure in the town to encourage more people to use bikes.

(Councillor Sadiq joined the meeting)

Members agreed that the links between the cycle hire and any future hub schemes with the 'Slough Card' should be maximised. The transport and public health teams at the Council should also work closely together to forge strong links given the need to increase physical activity.

The update was noted and it was agreed to receive a further update circa six months after the scheme was relaunched in March 2019.

Resolved –

- (a) That the proposed improvements and cost savings to overall management of Slough Cycle Hire/ Cycle Hub be noted.
- (b) That the funding options for Slough cycle hire beyond March 2020 be reviewed.
- (c) That the opportunities to include the cycle hire scheme to the Slough Card be maximised and that stronger links be forged with the public health strategy and wellbeing referrals.

80. References from Overview & Scrutiny

There were no references from Overview & Scrutiny.

81. Notification of Forthcoming Decisions

The Cabinet considered and endorsed the Notification of Decisions published on 16th November 2018 which set out the key decisions expected to be taken by the Cabinet over the next three months.

Resolved – That the published Notification of Key Decisions for the period between December 2018 to February 2019 be endorsed.

82. 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 considered during Part II of the agenda.

83. Redevelopment of Old Library Site

The update on the redevelopment of the Old Library Site was noted and delegated authority was given to the Chief Executive to take the necessary decisions to progress the scheme.

84. Strategic Asset Purchases 2018

The update on assets acquired in 2018 as part of the Strategic Acquisition Strategy was noted.

85. Disposal of Former Chalvey Youth and Community Centre, Darvills Lane, Slough, SL1 2PH

The Cabinet agreed the sum and terms to dispose of the former Chalvey Youth & Community Centre, Darvills Lane.

Chair

(Note: The Meeting opened at 6.35 pm and closed at 7.37 pm)

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SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 21st January 2019

CONTACT OFFICER: Neale Cooper; Head of Finance (Transformation)

(For all enquiries) (01753) 875417

WARD(S): All

PORTFOLIO: Corporate Finance & Housing - Cllr Mohammed Nazir

PART I
KEY DECISION

HOUSING RENTS AND SERVICE CHARGES 2019/20

1 **Purpose of Report**

To present the changes in the Housing rents and service charges for 2019/20.

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

The Cabinet is requested to Recommend that:-

- (a) Council house dwelling rents for 2019/20 to **decrease by 1%** over the 2018/19 rent with effect from Monday 1st April 2019. This is in line with current government guidelines and legislation.
- (b) Garage rents, heating, utility and ancillary charges to **increase by 2.4%** with effect from Monday 1st April 2019. This is based upon the September CPI figure.
- (c) Service charges to **increase by 2.4%** with effect from Monday 1st April 2019. This is based upon the September CPI figure.
- (d) 'Other committee' property rents to increase by 2.4% from Monday 1st April 2019 in line with the September CPI figure.
- (e) Properties leased from James Elliman Homes to increase by 2.4% from Monday 1st April 2019 in line with the September CPI figure; currently, these are Pendeen Court and 81-83 High Street used as emergency and temporary accommodation for homeless households.

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

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

This report sets out the context and implications for the council over the setting of housing rents and service charges for the next four years and impact upon the local community.

3b **Five Year Plan Outcomes**

This report will primarily have implications for Outcome 4 in the delivery of future social and affordable homes by the council, and the maximisation of the rental stream and asset value to the HRA.

4 **Other Implications**

(a) **Financial**

The financial implications are contained within this report.

(b) **Risk Management**

If the Council follows Government guidance and legislation in the setting of its dwelling rents, then the risk to the Council will be mitigated.

Risk	Mitigating action	Opportunities
Legal	n/a	
Property		
Human Rights		
Health and Safety		
Employment Issues	n/a	
Equalities Issues		
Community Support		
Communications		
Community Safety		
Financial	Ensure that the Council sets a balanced HRA annual budget and matches the capital programme to the available resources.	
Timetable for delivery		Approval in January of the new rents will enable tenants to receive notification well within the statutory timescales.
Project Capacity		
Other		

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

There are no Human Rights Act Implications.

(d) **Equalities Impact Assessment**

The 1% reduction in council housing rents is applied across all the council's social housing and will have a positive impact on the tenants.

5 Supporting Information

Background

- 5.1 For the 10 years prior to 2015/16, the setting of Council social rents has been guided by the Government policy called rent convergence, the intention of which was to bring parity to Council social rents across the country, and reduce the 'gap' between Council social rents and Housing Association rents.
- 5.2 Driving these annual rent charges was a Government prescribed formula which linked the following year's rent changes to the previous September's RPI and was weighted for regional differences e.g. salaries and house prices.
- 5.3 However, in the summer budget on the 8th July 2015, the Chancellor announced that "rents paid in the social housing sector will not be frozen, but reduced by 1% a year for the next four years". In previous years, the Government has always allowed Councils 'discretion' in changing their rents but produced a rent policy to guide Councils in the setting of their rents. Slough Borough Council has followed Government 'rent policy' and set its rents in line with that policy.
- 5.4 The Government has now departed from the previous practice of issuing rent 'guidance' to setting social rents across the country through primary legislation. Section 23 (1) of The Welfare Reform and Work Act 2016 states that:-

In relation to each relevant year, registered providers of social housing must secure that the amount of rent payable in a relevant year by a tenant of their social housing in England is 1% less than the amount that was payable by the tenant in the preceding 12 months.

- 5.5 Section 23 (6) then goes on to define the relevant applicable years as a year beginning on the 1 April 2016, 1 April 2017, 1 April 2018 or 1 April 2019.
- 5.6 The Act does allow exemptions from this rent reduction to be granted by the Secretary of State but these are very limited and clearly specified and cover properties such as specialist supported housing, temporary social housing, care homes and nursing homes. One of those exemptions (section 25(10)) is if the SoS considers that the local authority would be unable to avoid serious financial difficulties if it were to comply with the 1% rent reductions.

In effect, this means that for 2019/20, the Council will again need to set its social rents (HRA) 1% lower than the rents current in this year.

Impact

- 5.7 The HRA 30 Year financial Business plan has been updated to reflect the introduction of the 1% decrease this year and next year. The impact on this year is an estimated reduction of £0.3m over last year's rental income of £32.4m.

The estimated average weekly rent for the current year is now £102.46 and the Government proposals will produce an estimated loss in potential rental income of £0.9m over this year and next year, and an average decrease in weekly rent to £101.44 next year; this roughly equates to the loss of 3 new social properties.

Next Four Years

5.8 The rent decrease will apply this year and for next year. On the 4th October 2017, the Government announced that from 2020, social housing rents would be limited to CPI plus 1% for the following five years. In September 2018, the Government launched a consultation document 'Rents for social housing from 2020-21' in which it was proposed that rents could be increased by up to CPI+1% each year for a period of at least 5 years from 2020. This consultation has now closed but the outcome is not yet known. However, this has now been assumed in the HRA 30 year Financial Business Plan with just CPI for the remaining years (CPI has been assumed to be 1%).

5.9 The other changes likely to impact on the HRA and the Council's tenants in the next few years are:-

5.9.1 Universal Credit

The full UC service is still being rolled out and will affect all new claims from working age customers with less than three children e.g. unemployed, sick, disabled, carers, lone parents, foster carers plus change of circumstances; certain client groups e.g. over 65s, supported housing, will be exempt. The financial impact on the HRA for 2019/20 is difficult to estimate but the budgeted rental income collection rate has been revised downwards and the bad debts provision increased in anticipation of the switch to monthly payments, the longer processing time, and the merging of HB with several other benefits into one payment. The HRA Financial Business Plan will be reviewed on a regular basis as the full impact of Universal Credit becomes clearer.

5.9.2 HRA Borrowing

From 2012, Councils were restricted in how much their Housing Revenue Account could borrow to fund new council housing and major refurbishment programmes. The Government has now removed this restriction by abolishing the Housing Revenue Account cap that controlled local authority borrowing for house building. Details are still emerging but it is likely that any new borrowing will be governed by the CIPFA developed *The Prudential Code for Capital Finance in Local Authorities* - a professional code of practice to support local authorities in taking decisions on capital investments. Key objectives of the Code are to ensure, within a clear framework, that local authorities' capital investment plans are affordable, prudent and sustainable; that treasury management decisions are taken in accordance with good professional practice; and that local strategic planning, asset management planning and proper option appraisal are supported.

A number of proposed new build schemes are in the development stage and these will be reviewed to ascertain the optimal balance of new units achievable with this additional source of loan funding.

6 Comments of Other Committees

The Housing rents and service charges 2019/20 are included on the Neighbourhoods and Communities Services Scrutiny Work Programme for January 2019 prior to Council making their final decision.

7 **Conclusion**

The Cabinet are requested to approve the housing rents and service charges for 2019/20 prior to submission to full Council on the 29th January 2019 for the ultimate decision.

8 **Background Papers**

- '1' Welfare and Reform Act 2016
- '2' Housing and Planning Act 2016
- '3' 'Rents for social housing from 2020-21'

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SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 21st January 2019

CONTACT OFFICER: Neil Wilcox; Director of Finance & Resources (S151 Officer)

(For all enquiries) (01753) 875358

WARD(S): All

PORTFOLIO: Cllr Mohammed Nazir, Cabinet Member for Corporate Finance & Housing

PART I
KEY DECISION

COUNCIL TAX SUPPORT SCHEME 2019-20**1 Purpose of Report**

The Council must have a Council Tax Support scheme in place each year, this must be approved annually by the 11 March preceding the start of the scheme. This report and appendix is the Council's scheme for 2019-20. The main items within the scheme are not recommended to change from the previous scheme.

2 Recommendation(s)/Proposed Action

The Cabinet is requested to resolve to continue with Council Tax Support Scheme adopted by Slough Borough Council for the 2018-19 financial year and uprate the relevant premiums, applicable amounts, non dependant deductions and to reflect the changes in the housing benefits regulations as defined in the scheme in line with the statement from the Department of Work and Pensions (DWP).

The Cabinet is requested to resolve that the Council Tax Support scheme as detailed in appendix A be agreed.

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

This does not support a specific outcome, as this is a statutory requirement to have a scheme in place

3b Five Year Plan Outcomes

This does not support a specific outcome, as this is a statutory requirement to have a scheme in place

4 Other Implications**(a) Financial**

This report should be cost neutral compared to the current Council Tax Support scheme. The uprating of the scheme with inflation (or the amount determined by the

Minster of State for Pensions) should be broadly cost neutral as other benefits and income assessments are changed, therefore there are no direct financial implications of this paper;

This is based on the assumption that the number of applicants will remain similar to 2018-19, however, if the number of applicants for Council Tax Support increases there will be a financial pressure, and if the levels fall, there will be a financial benefit to the Council compared to the current level of applicants.

(b) Risk Management

Risk	Mitigating action	Opportunities
Legal	The scheme was reviewed by an external barrister before approval in 2016 and his comments have already been included in the scheme. The scheme proposed is the same scheme that was in operation in 2016-17 2017-18 and 2018-19.	
Property	none	
Human Rights	See EIA	
Health and Safety	None	
Employment Issues	Local employment levels will impact on the scheme as a risk and opportunity. The less people receiving CTX Support will mean the lower the cost of the scheme	
Equalities Issues	See EIA	
Community Support	None	
Communications	Consultation was completed in December 2015 on the current scheme in operation for 2016-17 as the same scheme was continued into 2017-18 and 2018-19 and it is proposed to continue with the same scheme for 2019-20 there is no legal obligation to consult further.	
Community Safety	None	
Financial	Income and applicable amounts to be uprated in line with DWP rates. Please note that very few will be uprated as the Chancellor of the Exchequer froze the majority of the upratings for 4 years An increase in CTS cases will	A decrease in CTS claimants will be a financial benefit to the Council through reduced payments, though there is a risk with the implementation of Full Service for Universal Credit that

	be a financial pressure on the collection fund	some claimants who are entitled to Council Tax Support may not claim. The service is working to ensure that this does not happen.
Timetable for delivery	None	
Project Capacity	None	
Other		

Human Rights Act and Other Legal Implications

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

(d) Equalities Impact Assessment

See appendix B – EIA completed.

5 Supporting Information

- 5.1 The Council Tax Support scheme was introduced in April 2013. At this time the government changed it from a national scheme for all customers to a local scheme for working age customers. The national scheme remained for all non working age customers.
- 5.2 Slough Borough Council in line with the legislation consulted on the proposed scheme in September to November 2012 and a Local Council Tax Support scheme was approved by members on 10 December 2012.
- 5.3 The legislation demands that the Local Council Tax Support scheme is approved by members each year before 11 March of the financial year preceding the start of the scheme.
- 5.4 If the scheme is going to change then a full consultation must be carried out with all the chargepayers prior to a decision being made, unless the change is for uprating purposes only.
- 5.5 SBC did not make any changes (apart from uprating) to the scheme for 2014-15 or 2015-16, which means the same scheme, was operating for three years.
- 5.6 SBC did completely review the scheme for the 2016-17 financial year and carried out a full consultation the changes to the scheme took into account the changes to welfare benefits that impacted on the scheme and following consultation the scheme was devised and approved by members on 18 January 2016.
- 5.7 There were no material changes made to the scheme for 2017-18 or 2018-19 and the limited uprating was applied.

- 5.8 It is proposed that the current scheme which has now been in operation for 3 years is maintained with the calculation amounts, premium, applicable amounts etc being uprated in line with the direction from the Department of Work and Pensions, if applicable.
- 5.9 The Department of work and Pensions stated in 2015 that there would be no uprating for working age customers, and it is expected that no changes or only very limited changes will be made.
- 5.10 The scheme also states that it will reflect any welfare benefits changes that come into operation in the course of the scheme.
- 5.11 The Autumn budget from the Chancellor on 29 October 2018, did not have any implications for the scheme.
- 5.12 The upratings where applicable will be released early in the calendar year 2019, but the scheme must be approved by members prior to the 11 March 2019 as stated in the legislation, therefore if there are any implications from the uprating authority is asked for the Section 151 Officer to approve these changes.

Council Tax Support scheme 2019-20

- 5.13 The Council Tax Support scheme for 2019-20 is included in appendix A.
- 5.14 The Council Tax support scheme is based on the national legislation for non working age applicants and the current scheme which is based on the consultation process carried out in October, November and December 2015.
- 5.15 The intention was that the scheme for 2019-20 would cost no more than 2018-19 but that SBC would not look to make savings as the impact on Council Tax collection would potentially negate any savings

Council Tax Support Legislation

- 5.16 The Council Tax Support legislation set a number of criteria that local authorities must adhere to in developing a scheme

- **Local authorities should also ensure support for vulnerable groups;**

Slough Borough Council defined vulnerable groups as those who had a member of their household receiving a disability premium and protected all of these households, meaning that they are still entitled to be assessed with a maximum Council Tax Support of 100%

SBC also continued to protect those in receipt of War Widows and War Disablement Benefit

- **Local schemes should support work incentives, and in particular avoid disincentives to move into work.**

The current scheme ensures that SBC support people into work by providing a “run on” (where we continue to pay benefit at the same rate for four weeks after they start work) of their benefits when they first start work.

6 **Comments of Other Committees**

This report has not been considered by any other committees.

7 **Conclusion**

For members to approve that the current Council Tax Support scheme is maintained for 2019-20 and to uprate the relevant premiums, applicable amounts, non dependant deductions etc. in line with the statement from the Minister of Pensions.

8 **Appendices Attached**

- 'A' - Council Tax Support scheme 2019-20 (see Appendix Supplement)
- 'B' - Equality Impact Assessment

9 **Background Papers**

- '1' - Council Tax Support scheme 2018-19
- '2' - Council Tax Support legislation
- '3' - The Council Tax reduction schemes (amendment) (England) Regulations. 2017 no. 1305

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Directorate: Finance and Resources	
Service: Finance & Resources	
Name of Officer/s completing assessment: Jackie Adams	
Date of Assessment: 13.12.2018	
Name of service/function or policy being assessed: Council Tax Support Scheme 2019-20	
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 local Council Tax Support scheme 2019-20</p> <p>The local Council Tax Support scheme only affects customers of working age, customers of pension age are assessed under the national regulations.</p> <p>The legislation requires that all Local Authorities must approve a Council Tax Support scheme by 11 March proceeding the financial year that the scheme relates to.</p> <p>Members are being asked to approve the scheme agreed in 2018-19 with the uprating applicable amounts, premiums etc that are announced by the Department of Work and Pensions for 2019-20.</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, analyse them, request such supporting information as they see fit and assess how much local council tax support 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 an independent panel managed and set up by the Valuation Office Agency (VOA)</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>

All working age Council Tax Payers could be affected by this proposal as they could all potentially claim Council Tax Support.

o Age – the Government legislation has stated that those of pension age will be protected and their assessment for Council Tax Support will continue to be made under the national regulations and not under the local Council Tax Support scheme therefore they will not be affected by this policy.

o Disability – the government legislation states that those that are considered by the local authority to be vulnerable should be protected but no definition of vulnerable is provided. We have decided to protect all families where the householder and /or their partner receive a level of disability allowance or that one or more children in the household receive a level of disability allowance. This means that there will be no change to the support that they receive to assist them paying their council tax.

The following have not been prescribed under the regulations to be protected and therefore the changes will directly affect the following

- o Gender Reassignment
- o Marriage and Civil Partnership
- o Pregnancy and maternity
- o Race
- o Religion and Belief
- o Sex
- o Sexual orientation
- o Other

In addition, those leaving care will have their Council Tax Support protected until they are 25 years of age or while the Council has a statutory duty to them which ever is sooner. .

A Hardship fund has been developed to assist those who are experiencing financial difficulty because of the change.

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>All pensioners and all households who have a member of the household in receipt of a disability premium/allowance are identified within the protected groups and this will ensure that they can claim up to 100% Council Tax Support.</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>There are no likely negative impacts,</p> <p>The uprating statement from the Department of Works and Pensions has not yet been released and the scheme allows for these to be taken into account, however it is expected that the uprating statement will only affect Pensioners as per the statement in 2015, 2016, and 2017.</p>
6.	<p>Have the impacts identified in (4) and (5) above been assessed using up to date and reliable evidence and data? Please state evidence sources and conclusions drawn (e.g. survey results, customer complaints, monitoring data etc).</p> <p>The changes to the scheme for 2019-20 mirrors that of the Housing Benefits and national Council Tax Support scheme, this will include the fact that premiums and applicable amounts will be frozen for the next 4 years. This will mean that various income assessments will not necessarily increase with inflation. The intention of this is to keep the level of Council Tax Support received by claimants to a comparatively similar level to the previous scheme.</p>
7.	<p>Have you engaged or consulted with any identified groups or individuals if necessary and what were the results, e.g. have the staff forums/unions/ community groups been involved?</p> <p>A full consultation was carried out with all members of the public via the Budget simulator on the Council's website between the end of October 2015 and the beginning of December 2015</p> <p>We also publicised the consultation to local groups who support the residents of the borough as well as businesses who may work with</p>

	<p>residents.</p> <p>176 Responses were received to the specific consultation questions on Council Tax Support – a large increase from the 14 responses received the last time a consultation took place on the scheme</p> <p>40% of the respondents supported the proposed scheme which included changes to bring the scheme in line with</p> <p>13% supported the current scheme which would have cost additional monies and would have had to be funded from a reduction in other services</p> <p>10% supported protecting all customers and reducing services in other area's of the council to do this</p> <p>16% supported the current scheme but instead of reducing services in other area's to use reserves to fund the scheme</p>
8.	<p>Have you considered the impact the policy might have on local community relations?</p> <p>n/a</p>
9.	<p>What plans do you have in place, or are developing, that will mitigate any likely identified negative impacts? For example what plans, if any, will be put in place to reduce the impact?</p> <p>The Council has a hardship policy in place to support those in financial hardship</p>
10.	<p>What plans do you have in place to monitor the impact of the proposals once they have been implemented? (The full impact of the decision may only be known after the proposals have been implemented). Please see action plan below.</p> <p>Once the proposals are accepted they must stay in place for one year, the authority must then review the scheme and obtain member agreement for the scheme for the following year, during each year the scheme is evaluated and then has the option to review and amend the scheme, during this year we will continue to monitoring the impact of the scheme on our customers.</p>

What course of action does this EIA suggest you take? More than one of the following may apply	✓
Outcome 1: No major change required. The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken	✓
Outcome 2: Adjust the policy 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).	
Outcome 3: Continue the policy 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).	
Outcome 4: Stop and rethink 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

Name:

Signed:Jackie Adams(Person completing the EIA)

Name:Neil Wilcox.....

Signed:(Policy Lead if not same as above)

Date: 13.12.2018

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SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 21 January 2019

CONTACT OFFICER: Neil Wilcox; Director, Finance & Resources; s151 officer

(For all enquiries) (01753) 875358

WARD(S): All

PORTFOLIO: Cllr Mohammed Nazir, Cabinet Member for Corporate Finance & Housing

PART I
KEY DECISION

BUSINESS RATES POLICIES 2019-20 – RETAIL DISCOUNTS

1 Purpose of Report

To provide a Council policy for the financial year 2019-20 in respect of Business Rates Retail Discount as announced in the Autumn budget 2018.

2 Recommendation(s)/Proposed Action

The Cabinet is requested to resolve that the policy for Retail Discounts as set out in Appendix A be approved

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

This report supports the 5 Year Plan through support to adults as retaining and encouraging smaller businesses to the borough will provide jobs and opportunities to our residents

3a Slough Joint Wellbeing Strategy Priorities

The awarding of relief for businesses in line with government guidance is a the key priority of the Council.

3b Five Year Plan Outcomes

This report will primarily have implications for Outcome 5 as it will assist in retaining smaller businesses and local businesses in the borough as well as attracting small businesses to the borough which will provide jobs and opportunities for our residents.

4 **Other Implications**

(a) Financial

The Council proposes to develop a scheme within the guidance supplied by the Ministry of Housing, Communities and Local Government which means that any Retail Discounts awarded will be fully reimbursed to by central government to the Council.

(b) Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
To note the report.	There are none			

(c) Human Rights Act and Other Legal Implications

There are no direct legal implications.

(d) Equalities Impact Assessment

There is no EIA as this report relates to Business Rates only.

5 **Supporting Information**

- 5.1 The government in the Budget on 29 October 2018 announced that it “recognises that changing consumer behaviour presents a significant challenge for retailers in our town centres and is taking action to help the high street evolve”
- 5.2 The government stated that it will provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21.
- 5.3 The value of discount will be one third of the bill, and must be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied.
- 5.4 Local Relief’s will be funded after the Retail Discount has been awarded.
- 5.5 The government has issued guidance on the implementation of the Retail Discount but on the basis that they have issued the changes under Section 47 of the Local Government Finance Act 1988 as amended; the local authority has to define a policy for the administration of the relief.

- 5.6 As the grant of the relief is discretionary, the government has stated that *“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”*.
- 5.7 This policy follows closely the government guidance for Retail Discount, but also adds the following local exclusions from the Retail Discount
- takeaways (Defined as A5)
 - off licences (premises licensed to sell alcohol for consumption off the premises)
 - Licensed Sex Establishments.
- 5.8 Central government will fully reimburse Slough Borough Council for all the Retail Discount’s that it awards under a Section 31 grant paid to the authority.

6 **Comments of Other Committees**

This report has not been considered by any other committees.

7 **Conclusion**

The Cabinet is requested to resolve that the policy for Retail Discounts based on the guidance issued by the Ministry of Housing, Communities and Local Government as set out in Appendix A be approved

8 **Appendices Attached**

‘A’ - New Retail Discount Scheme

9 **Background Papers**

- “1” - Business Rates Information letter (5/2018) from DCLG
- “2” - Retail Discount Guidance November 2018
- “3” - Local Government Finance Act 1992 as amended
- “4” - Local Government Finance Act 1988 as amended

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Business Rates Policy 2019-20

The Award of Retail Discount

1 Introduction

- 1.1 The government in the Budget on 29 October announced that it recognises that changing consumer behaviour presents a significant challenge for retailers in our town centres and is taking action to help the high street evolve and stated that it will provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21. The value of discount will be one third of the bill, and must be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied. Where an authority applies a locally funded relief, for instance a hardship fund, under section 47 this must be applied after the Retail Discount.
- 1.2 They have issued guidance on the implementation of the Retail Discount but on the basis that they have issued the changes under Section 47 of the Local Government Finance Act 1988 as amended; the local authority has to define a policy for the administration of the relief.
- 1.3 This policy therefore follows closely the government guidance for Retail Discount.

2. How the Retail Discount Relief will be provided?

- 2.1 As this is a measure for 2019-20 and 2020-21 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria set out in this policy, reimburse local authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.
- 2.2 It is for individual local billing authorities to adopt a local scheme and determine in each individual case when, having regard to this guidance, to grant relief under section 47. 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 apply and grant relief to qualifying ratepayers from the start of the 2019/20 billing cycle.
- 2.3 Central government will reimburse Slough Borough Council as the billing authority for the actual cost under the rates retention scheme of the relief that falls within the definitions in this policy.
- 2.4 Slough Borough Council will be asked to provide an estimate of their likely total cost for providing the relief in our National Non-Domestic Rate Return 1 (NNDR1) for 2019-20 and 2020-21. Central government will provide payments to authorities to cover the local share, as per the usual payment process.
- 2.5 As a Local authorities we will also be asked to provide outturn data on the actual total cost for providing the relief, as per the usual process via the

National Non-Domestic Rate 3 (NNDR3) forms for 2019-20 and 2020-21. Any required reconciliations will then be conducted at these points.*

- 2.6 The Government expects local government to grant relief to qualifying ratepayers.

3. Who will be eligible for Retail Discount Relief?

- 3.1 Properties that will benefit from the relief will be occupied hereditaments with a rateable value of £51,000 or less, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments, defined as premises that are being used for the sale of goods to visiting members of the public:

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

*As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount.

- 3.2 To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.
- 3.3 The list set out above is not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses.
- 3.4 As the grant of the relief is discretionary, the government guidance is clear that 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.
- 3.5 This policy follows closely the government guidance for Retail Discount, but also adds the following local exclusions from the Retail Discount
- takeaways (Defined as A5)
 - off licences (premises licensed to sell alcohol for consumption off the premises)
 - Licensed Sex Establishments
- 3.5. In addition the list below sets out the types of uses that government does not consider to be retail use for the purpose of this relief. Again, it is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.
- Financial services
(e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
 - Other services
(e.g. estate agents, letting agents, employment agencies)
 - Medical services
(e.g. vets, dentists, doctors, osteopaths, chiropractors)
 - Professional services
(e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
 - Post office sorting office
- Central government guidance has stated that It is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those above and, if so, to consider them not eligible for the relief under their local scheme. This will be determined on an individual basis.
- 3.6 The government does not consider other assembly or leisure uses beyond those listed at paragraph 3.1 to be retail uses for the purpose of the discount. For example, cinemas, theatres and museums are outside the scope of the scheme, as are nightclubs and music venues which are not similar in nature to the hereditaments described at paragraph 3.1 above. Hereditaments used for sport or physical recreation (e.g. gyms) are also outside the scope of the discount. Where there is doubt, Slough Borough Council will exercise their discretion with reference to the above and knowledge of their local tax base.

4. How much Retail Discount Relief will be available?

- 4.1 The total amount of government-funded relief available for each property for 2019-20 and 2020/21 under this scheme is one third of the bill, after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied, excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act which are not funded by section 31 grants**. There is no relief available under this scheme for properties with a rateable value of £51,000 or more
- 4.2 Central government guidance states that Councils may use their discretionary powers to offer further discounts outside this scheme. However, where an authority applies a locally funded relief, sometimes referred to as a hardship fund, under section 47 this must be applied after the Retail Discount. (see Hardship Policy).
- 4.3 The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula will be used to determine the amount of relief to be granted for a particular hereditament in the financial year 2019-20

$$\text{Amount of relief to be granted} = \frac{V}{3} \quad \text{where}$$

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs, excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act which are not funded by section 31 grants***.

- 4.4 This will be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.
- 4.5 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid De Minimis limits.
- 4.6 The relief will be applied to the new bills when they are dispatched where possible. The Council will apply the Retail Discount Relief to all new bills dispatched for 2019-20 where the information is available to them that the property will be eligible.
- 4.7 However if the information is not available, or the description of the use of the property does not fall under the above categories the Charge Payer will be expected to bring this to the notice of the Business Rates team and amendments will be made to the account when the information is available to the Business Rates section as necessary.

**As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount.

*** As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount

5 State Aid

- 5.1 State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid. However Retail Discount 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). Slough Borough Council is familiar with the terms of this State Aid exemption, in particular the types of undertaking that are excluded from receiving De Minimis aid (Article 1), the relevant definition of undertaking (Article 2(2)5) and the requirement to convert the aid into Euros. It is advised that businesses who receive a retail discount make themselves aware of the legislation also.
- 5.3 To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. Note that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation).
- 5.4 The UK is scheduled to leave the EU on 29 March 2019. If there is an Implementation Period, the State Aid rules will continue to apply as now and will be subject to control by the EU Commission as at present. If the UK leaves the EU without a negotiated Withdrawal Agreement, the Government has announced its intention to transpose EU State Aid rules into UK domestic legislation, with only technical modifications to correct deficiencies with the transposed EU law to ensure the regime operates effectively in a domestic context, therefore State Aid rules will continue to apply, including De Minimis, to the relief for 2019/20 and 2020/21
- 5.5 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 Splits, mergers, and changes to existing hereditaments

- 6.1 The Retail Discount Relief will be applied on a day to day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, will be considered afresh for the relief on that day.

7 Administration

- 7.1 Slough Borough Council will administer the scheme under the policy set out in this document.
- 7.2 The Retail Discounts awarded will be administered by the Business Rates team who will provide monthly reports to the Section 151 officer for approval.
- 7.3 Slough Borough Council where possible will include details of the Retail Discount to be provided to eligible ratepayers for 2019-20 in their bills for the beginning of that year. There will be no need for an application if the above criteria is met.
- 7.4 However if the information is not available, or the description of the use of the property does not fall under the above categories and it appears that the criteria is not met no relief will be awarded. The Charge Payer will be expected to bring this to the notice of the Business Rates team and amendments will be made to the account when the information is available to the Business Rates section as necessary
- 7.5 It will be expected that companies who receive a Retail Discount and are aware that they are in excess of the State Aid Rules will inform the council as soon as possible.
- 7.6 The council will ensure where appropriate State Aid letters are dispatched if the council has the background information available to it.

Annex A: Calculation examples for 2019/20

The retail discount (one third) is always calculated after mandatory relief and other discretionary reliefs funded by section 31 grant.

Example 1: An occupied shop with a rateable value of £40,000

Gross rates (before any reliefs) = $£40,000 \times 0.491 = £19,640$
Retail discount (1/3): = $-£6,547$
Rates due (after retail discount): = $£13,093$

Example 2: An occupied charity shop with a rateable value of £40,000

Gross rates (before any reliefs) = $£40,000 \times 0.491 = £19,640$
Net rates after charity relief: = $£3,928$
Retail discount (1/3): = $-£1,309$
Rates due (after charity relief and retail discount): = $£2,619$

Example 3: An occupied shop with a rateable value of £13,500 eligible for Small Business Rate Relief (SBRR)

Gross rates (before any reliefs) = $£13,500 \times 0.491 = £6,629$
Net rates after SBRR (50%): = $£3,314$
Retail discount (1/3): = $-£1,105$
Rates due (after SBRR and retail discount): = $£2,210$

Example 4: An occupied shop with a rateable value of £10,000 eligible for Small Business Rate Relief (SBRR)

Gross rates (before any reliefs) = $£10,000 \times 0.491 = £4,910$
Net rates after SBRR (100%): = $£nil$
Rates bill is nil and, therefore, no retail discount applies

Example 5: An occupied shop with a rateable value of £40,000 eligible for Transitional Relief (TR) and receiving Revaluation Discretionary Relief

Gross rates (before any reliefs) = $£40,000 \times 0.491 = £19,640$
Transitional Relief (say): = $-£1,500$
Net rates after Transitional Relief: = $£18,140$
Net rates after Revaluation Discretionary Relief (say): = $£15,140$
Retail discount (1/3): = $-£5,047$
Rates due (after TR, revaluation relief and retail discount): = $£10,093$

Example 6: An occupied shop with a rateable value of £18,000 previously paying nothing prior to revaluation 2017 and eligible for Supporting Small Businesses Relief (SSB)

Gross rates (before any reliefs) = $£18,000 \times 0.491 = £8,838$
Supporting Small Businesses Relief (say): = $-£7,038$
11
Net rates after SSB: = $£1,800$
Retail discount (1/3): = $-£600$
Rates due (after SSB and retail discount): = $£1,200$

Example 7: A shop with a rateable value of £40,000 (example 1) but only occupied until 30 September 2019

Gross rates (before any reliefs) = $£40,000 \times 0.491 = £19,640$
Retail discount (1/3): = $-£6,547$
Rates due p.a. (after retail discount): = $£13,093$
Daily charge while occupied (leap year): = $£35.77$ per day
Occupied charge 1/4/19 to 30/9/19 (183 days): = $£6,547$
Unoccupied property relief (1/10/19 to 1/1/20): = $£nil$
Unoccupied property rates (1/1/20 to 31/3/20),
 $£19,640 \times 91/366 = £4,883$
Rates due for the year (after retail relief): = $£11,430$

Example 8: A shop with a rateable value of £40,000 (example 1) with a rateable value increase to £60,000 with effect from 1 October 2019

Gross rates (before any reliefs) = $£40,000 \times 0.491 = £19,640$
Retail discount (1/3): = $-£6,547$
Rates due p.a. (after retail discount): = $£13,093$
Daily charge while occupied (leap year): = $£35.77$ per day
Charge 1/4/19 to 30/9/19 (183 days): = $£6,547$
Daily charge on standard multiplier (1/10/19 to 1/1/20):
 $(£60,000 \times 0.504)/366 = £82.62$ per day
Charge 1/10/19 to 31/3/20 (183 days): = $£15,120$
Rates due for the year (after retail relief): = $£21,667$

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SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 21st January 2019

CONTACT OFFICER: Avtar Maan, Integrated Manager

(For all enquiries) (01753) 47 7214

WARD(S): ALL

PORTFOLIO: Health and Social Care, Cllr Natasa Pantelic

PART I
KEY DECISION

DELEGATION OF CONTINUING HEALTH CARE (CHC) COMMISSIONING, PLACEMENT, PROCUREMENT AND CONTRACT MANAGEMENT FUNCTIONS

1 Purpose of Report

The purpose of this report is to gain agreement for the development of a new operating model for Continuing Health Care and Section 117 Mental Health Act 1983 aftercare across East Berkshire. Currently, these services are provided by East Berkshire Clinical Commissioning Group (CCG). Following approval from Cabinet the administration of these services will be delivered in partnership with the three East Berkshire local authorities under the following proposed model:

- Commissioning, Placement, Procurement and Contract Management will be delegated to Slough Borough Council for the following service areas: CHC (continuing healthcare, FNC (funding nursing care) and Sec.117 aftercare (Section 117 Mental Health Act 1983 aftercare) for the residents of East Berkshire with effect from 1st April 2019. For the remainder of this report these collective services where appropriate shall be referred to as CHC.
- Assessment and Case Management for CHC from April 2019 will be subject to a further detailed report. The intention is for a fully developed model to go live by 2020/21. Currently it is anticipated this will be delivered by Bracknell Forest Council subject to approval and sign off by the partnership (System Leaders, the CCG and Cabinet bodies across East Berkshire).

2 Recommendation(s)/Proposed Action

Cabinet is requested to resolve:

- a) That the East Berkshire Clinical Commissioning Group (CCG) functions around CHC commissioning, placement, procurement and contract monitoring, is delegated to Slough Borough Council, Commissioning and Transformation Service with effect from 1st April 2019.
- b) That the new operating model for CHC, including the timelines and governance, is supported by Cabinet; and the Council supports the longer term plans for CHC assessment and case management.

- c) That authority is delegated to the Director of Adults and Communities and the Director for Finance and Resources to agree and execute the Section 75 NHS Act 2006 Agreement (the Section 75 Agreement), Memorandum of Understanding and any related legal agreements to give effect to the delegation of the CHC Commissioning, Placement, Procurement and Contract Management functions to the Council.

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

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

The proposal supports the following JSNA priorities

- Increasing life expectancy by focusing on inequalities
- Improving mental health and well being

CHC services will be redesigned to address the service needs of local residents through a new operating model which delivers a high quality service that offers local residents increased choice and control over their care. Irrespective of the funding stream the care provided for the person would be personalised and seamless. It will do this by promoting wellbeing and enabling service users and families to have control of their health care needs as well as social care needs. Residents across East Berkshire in receipt of CHC services will have personalised care and support.

3b **Five Year Plan Outcomes**

The proposal supports the following Five Year Plan outcomes:

- *Slough children will grow up to be happy, healthy and successful*
- *Our people will be healthier and manage their own care needs*

4 **Other Implications**

- (a) **Financial** The proposed model will require Slough Borough Council to administer the CHC commissioning budget; currently this is managed by East Berkshire CCG. In order to deliver the proposed model, the CCG will delegate the management and administration of the CHC budget to Slough Borough Council to carry out the placement and invoicing functions. There is no risk to the local authority as the CCG will retain budgetary responsibility and all financial risks and will continue to fund associated costs related to the administration of these functions (IT or rental costs for example). Decisions on placement costs for individual packages of care will be approved through the CCG standing financial orders (known as Scheme of Delegation).

The indicative financial envelope of the proposed CHC services in scope is approximately £32.1m in commissioning costs (circa £25.1m for CHC Adults and £7m for Sec.117). The budget for CHC commissioning and placements is funded through the NHS and its management and administration will be formally delegated through a Section 75 Agreement.

Currently children and young people eligible for CHC are out of scope. However following a review of Children's Services this may be incorporated as part of a wider scope at a later stage. Should the opportunity arise, this will be subject to Cabinet approval.

Operational costs have been excluded as there is no intention to transfer NHS staff, and local authority staff would retain their current employment terms and conditions. There are no liabilities associated with pensions or TUPE for the Council.

(b) Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
Approve delegation of CHC functions to Slough Borough Council	Legal: framework required for formal delegation	Section 75 Agreement currently in place for the Better Care Fund. Legal review is required to ensure the Agreement can be extended to include CHC; alternatively a stand alone agreement will be produced.	Legal – Negligible	Section 75 Agreement to be updated or new Section 75 drafted for 2019/2020 following approval from Cabinet
	Financial – Commissioning Budget delegated to Slough Borough Council for CHC is insufficient	NA	Financial – Critical	There are no financial risks to the Council in undertaking the delegated functions. To mitigate any unknown risk the Section 75 Agreement will include risk arrangements for over and under spends with Scheme of Delegation, with financial accountability to be retained by the CCG

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
	Financial – controlling the market may lead to cost shunting from health to social care or vice versa	NA	Financial – Critical	Gain Share Agreement to be implemented with detailed plans to monitor the impact of the market.
	Limited data leading to insufficient resourcing and poor process/pathways	Currently the CCG is cleansing their data management systems to ensure that resources are appropriate	Political (reputational) – Marginal	On going monitoring of activity to ensure the redesigned service is fit for purpose and achieves the outcomes desired.
	Failure to deliver due to a lack of ring fenced posts and resources to manage transition of service	Dedicated cross Partnership Project Team to be recruited to ensure timelines are met CCG budget allocated for transitional costs (i.e. network connections)	Political (reputational) – Marginal	Identification of an 18 month resource and implementation plan funded by the CCG to allow for new model to be embedded and adjusted
Support the overall plan to redesign CHC	Failure to consult on proposed changes with service users leading to challenge and poor outcomes	Coproduction events to be scheduled for service users and providers.	Communication – Critical Political – Marginal	Service user consultation to be carried out between January 2019 and February 2019 for Phase One. The feedback will inform the process for Phase One and delivery of the delegated services and

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
				the consultation plan for Phase Two
	A number of employment issues may arise during and post implementation; such as staff turnover and limited skill set	Consultation with HR departments across the Council and CCG to ensure staff are consulted on proposed changes	Employment Critical	Feedback from Staff Consultation to be embedded in redesign of service and structure

(c) Human Rights Act and Other Legal Implications

The NHS provides CHC funding to cover the entire health and social care needs for people who meet the eligibility criteria. The funding can be used in either a care home, nursing home, hospice or a person's own home to meet the physical, mental health or social care needs. Choice and control are at the heart of a care plan, regardless of the financial cost and CHC funding cannot be used to dictate how care will be provided. East Berkshire CCG does not operate a cap on costs, and therefore is exempt from a judicial review currently taking place by the Equality and Human Rights Commission. A Choice and Control Protocol is in place across East Berkshire and is compliant with the Human Rights Act.

Section 75 of the National Health Service Act 2006, and the NHS Bodies and Local Authorities Partnership Arrangements Regulation 2000 allows the Council and the CCG to voluntarily enter into arrangements in relation to certain functions of the CCG and/or the Council, if the arrangements are likely to lead to an improvement in the way those functions are exercised.

Regulation 4 of the NHS Bodies and Local Authorities Partnership Arrangements Regulation 2000 stipulates the need for joint consultation with persons affected by the arrangement prior to entering any Section 75 Agreement. In partnership with the CCG, a consultation plan will be developed in January 2019 and implemented no later than February 2019. The feedback from the consultation phase will inform the how Phase One will exercise the delegated services, lead to an improvement plan and inform the consultation process for Phase Two.

Whilst there is no change in employment terms and conditions, there are anticipated changes to the location and duties for affected staff with a consultation plan to be formulated in January 2019. The proposed changes have also been consulted on with the East Berkshire health and care system leaders group (20th November 2018) with plans for further consultation and approval with respective Council Cabinets and CCG Governing Bodies across East Berkshire in the first three months of 2019.

Whilst the Section 75 of the National Health Service Act 2006 arrangement allows for pooled budgets, the Act also permits both the Council and the CCG to form a joint arrangement to take responsibility for the partnership, including the monitoring of arrangements, receiving reports and information about the arrangement. The joint arrangement proposed for CHC will be the Section 75 Partnership Management Group, who will discharge this legal responsibility.

(d) *Equalities Impact Assessment* The proposed CHC operating model, including the delegated commissioning, placement, procurement and contract monitoring function, is expected to have a positive impact on health inequalities. A detailed EIA (equalities impact assessment) will be carried out by East Berkshire CCG wherever changes to service delivery or configuration are considered.

5 **Supporting Information**

- 1.1 Continuing Health Care (CHC) is a needs-led service which commissions care for individuals meeting the criteria outlined in the National Framework 2012 (and 2018 Refresh), whereby an assessment identifies patients with a Primary Care (health) Need. For end of life patients, the fast track process is deployed to ensure appropriate care is in place in a timely manner. The function of CHC assessments, purchasing and commissioning care is the responsibility of East Berkshire CCG.

The National Framework 2018 sets out the statutory responsibilities CCGs have with regards to CHC and the Framework describes the process to which CCGs must adhere too. The Framework is designed to remove local interpretation of CHC eligibility, ensure consistency in application and improve transparency given the complex nature of the client groups.

The Framework sets out the following:

- CCGs are responsible and accountable for system leadership for NHS Continuing Healthcare within their local health and social care economy.
- The governance arrangements for NHS Continuing Healthcare eligibility processes and commissioning NHS Continuing Healthcare packages. CCGs are responsible for ensuring systems are in place to record assessments and their outcomes.
- Clear principles and processes for staff to undertake when assessing CHC eligibility.
- Provision of national process and templates for staff to use when making decisions on eligibility – Decision Support Tool (DST) and the Fast Track Tool (FST).
- Commissioning arrangements, both on a strategic and an individual basis.
- Ensures clear arrangements in place with other NHS organisations (e.g. Foundation Trusts) and independent or voluntary sector partners to ensure effective operation of the National Framework.

- 1.2 The Mental Health Act 1983 provides the legal basis for people with mental illness to be detained or sectioned in a hospital for treatment. Following a discharge from hospital, Section 117 Aftercare (Sec. 117) allows for free community support such as social care, health care and supported accommodation on the proviso the service meets the need relating to the mental health condition and it prevents further hospital admissions. Sec.117 aftercare is not available for all and is applicable if people have been detained under

- Section 3 for treatment
- Section 37 under a hospital order
- Section 45A under hospital direction
- Section 47 or 48 following transfer from prison

The responsibility for providing after-care services rests with the individuals' CCG and the Local Authority. There is no duty to provide particular services and the nature of services provided are tailored to meet the mental health needs of the individual, unless the person has been granted a conditional discharge (in relation to detention for treatment under Section 37). In order to fulfil their obligations, the CCG and the Local Authority must take reasonable steps to identify appropriate aftercare facilities for the person before discharge from hospital. Across East Berkshire arrangements are in place to ensure funding is split when the Sec.117 Aftercare plan requires input from health and social care. This is also the case where Sec.117 requires full NHS funding.

The relationship between Sec.117 and CHC is explained in the CHC Framework, where an individual's eligibility for services under Section 117 should be considered first, and prior to assessing potential eligibility for CHC services. If services which the eligible person requires are to be provided under Section 117, then there is no need for a CHC assessment. In the event of a CHC need, the CHC assessment should focus primarily on physical health needs.

- 1.3 Across East Berkshire, there were in total 260 referrals made to CHC in the first three quarters of 2017/18. A total of 190 assessments were completed with just over 17% (n45) completed within the 28 days target. The number of assessments completed within 28 days is low, the CCG is undertaking a Turnaround Programme to improve performance, staff retention and data recording. At the end of October 2017, there were 1923 patients in receipt of CHC funded packages of care, and 130 people with Section 117 health funding. The CCG is currently undertaking a data cleansing exercise and these figures are subject to revisions.
- 1.4 Strategically, the East Berkshire CCG and Local Authorities understand integrated commissioning between health and social care is fundamental to successfully deliver the Frimley Health and Care Integrated Care System (ICS). There is a strong commitment to integrated commissioning where better outcomes for residents can be achieved. One area that has been chosen to review the opportunities for integrated working is CHC.
- 1.5 As part of the redesign, representatives from East Berkshire CCG, Slough Borough Council and Bracknell Forest Council visited Portsmouth, an area that has integrated the management of CHC with Social Care. Meetings have also been held with Hillingdon Local Authority, where the CCG has delegated commissioning and placement functions to Hillingdon Social Care. Wirral, Isle of Wight and Southampton CCG have all delegated commissioning functions to local authorities to create "integrated commissioning hubs". Nationally, integrated commissioning is gathering pace and the local model will be designed to include learning from other areas.
- 1.6 Redesign of these services is expected to bring wider benefits to the system (residents, providers and commissioners) as it will
 - Improve outcomes for local residents through personalisation and increased choice and control over how the services are to be delivered;

- Increase opportunity to manage the provider market to meet the changing service needs and demands given the local strategic drivers on personalisation, increased choice and control, delaying needs, and increasing independence;
- Provide greater consistency to improve quality of services across the three areas, underpinned by a robust, tried and tested governance process;
- Reduce the contractual transactions required for transition between social care and CHC commitments;
- Remove any ambiguity in relation to displacement of costs between statutory agencies.

1.7 A detailed proposal was submitted to the East Berkshire System Leaders Group in November 2018 seeking support for the redesign of CHC services with the intention to transfer key functions from the CCG to the local authority as detailed below :

1.8 Phase One: Delegation of Commissioning, Placement, Procurement and Contract Management to Slough Borough Council for the following service areas:

- CHC/FNC/Sec. 117 commissioning, brokerage and care purchasing
- CHC/FNC/Sec. 117 contract management functions and processes
- Financial control and reporting with invoice validation with payments to be made through Slough Borough Council's payment system.
- Integrated Commissioning Strategy and market management.
- Statutory returns and performance reporting.
- Provision of joint training and development to the East Berks health and social care workforce.

These functions will be delegated to Slough Borough Council, Adult Social Care Commissioning and Transformation Service. The Service has a well established commissioning and purchasing function, serving the needs of the local population in and out of the borough. Work has taken place to streamline systems and processes as well as better manage the residential and nursing care home market. The team has a track record of building positive working relationships with Providers to negotiate competitive rates for placements. The Service has developed with other local authorities a cross boundary agreement to stabilise market conditions for social care; the same principles can be transitioned to health. As a host authority we can build upon our knowledge of the most cost effective pricing agreement and apply this across the area.

In addition Slough has established a Dynamic Purchasing System (DPS) which can be used to identify the most cost effective way of meeting complex needs both within the home and/or within a residential/nursing care setting. The DPS is open to both Health and Social Care services with the ability for new suppliers to sign up to the framework at any time. This meets the requirements of the Public Procurement Regulations 2015, allows transparency and open competition without the administrative burden. The DPS is already established and can extend its scope to include the CHC procurement functions, this can be used to successfully introduce new providers to the market. Should the DPS not

be suitable for the CHC functions, Slough will procure an alternative means of delivery of the CHC functions. This procurement will be in line with the Public Contracts Regulations 2015.

1.9 Phase Two: Integration of Care and Assessment with Bracknell Forest Council Social Care:

- CHC/FNC/Sec.117 referral, assessment and verification
- CHC/FNC/Sec.117 case management and review
- Quality management
- Business intelligence
- Training and development

Following a detail proposal these functions will be delegated to Bracknell Forest Council Adult Social Care. Bracknell Forest Council has in place an existing agreement to provide CHC case management services for residents with learning disabilities. A review to extend these care management arrangements for all adult clients groups for CHC will take place during 2019/2020. There is an opportunity to increase the provision of joined up health and social care that is personalised with a core offer of Direct Payments and Personal Health Budgets.

1.10 Out of scope:

- Children CHC/Sec.117 – this is subject to a review and is currently outsourced to a local provider
- End of life (the fast track pathway) – this is subject to a separate service development project in partnership with NHS England

1.11 Role of East Berkshire Clinical Group:

- Establish and maintain the governance arrangements for the delegated & integrated functions to ensure statutory compliance with CHC and Sec.117 duties
- Planning and commissioning of population based health care services in the area (e.g. podiatry, mental health)
- Primary care commissioning

1.12 Functions: The functions of the proposed changes for Phase One are to:

- Improve the efficiency of identified appropriate placements across East Berkshire for patients discharged from hospital.
- Procure and commission services that provide better value and target efficiencies where they can be achieved
- Ensure robust governance, providing assurance that CHC is fit for purpose with risks and operational performance managed
- Work in partnership with health and social care to increase the value of service, making the system sustainable
- Improve the quality of services so that they are safe, with patients and carers having excellent experiences and achieving outcomes they want
- Identify individuals who would benefit from a Personal Health Budget

1.13 Benefits: It is hoped that the arrangement will lead to mutual benefits across Slough and the wider Partnership by strengthening our collective leverage within the local health and social care economy. This will make best use of the current staffing, systems and skill sets. By creating a joint brokerage and placements function across the CCG and Council will enable better use of existing resources,

obtain value for money in securing placements and overall improve the quality of outcomes.

In particular the proposed changes will deliver increased flexibility; support improvement in quality of care and reduce duplication. By integrating the resources, Providers can personalise interventions and respond faster to change delivering a range of services to meet the needs of local residents. The Partnership will also benefit from the joint approach through increased purchasing power, this will allow for:

- Controlling the cost of system delivery; avoid replication and duplication across the system
- Sharing of system risk and opportunities across the ICS
- Joint investment decisions
- Developing and monitoring a revised regulatory approach that meets the needs of both health and social care.
- Assertively moderate demand growth; service availability gaps and plan across the three council areas

1.14 Alternative options considered and rejected: a range of alternative approaches were considered including no changes to the current services in place. This was not favoured as it recognised amongst the Partnership that the current service has lead to inconsistency and inequity of access, as well as disjointed pathways and duplication of resources.

The development of a joint enterprise would support the benefits joint integration but it was felt that TUPE, governance and transitional costs would be too expensive and complex.

The model outlined in this document and Appendix 1, achieves the benefits of integrated commissioning and allows for a period to evaluate the impact without the need of complex transitional arrangements. It was felt that the proposed model will be less disruptive to staff, providers and service users and would allow the Partnership to retain accountability and governance for each organisation whilst minimising the risks of embedding a new model.

6 Comments of Other Committees

Given the wider implications of the redesign of CHC, the proposal will be submitted to the following committees across East Berkshire:

1. East Berkshire Clinical Commissioning Group: Governing Board, 8th January 2019 to approve the delegation of CHC functions to Slough Borough Council and implementation of the new operating model.
2. Royal Borough of Windsor and Maidenhead Council: Cabinet, 7th February 2019 seeking endorsement
3. Bracknell Forest Council: Executive 11th February 2019 seeking endorsement

7 Conclusion

The proposed changes to CHC would build on the partnership arrangements between health and social care in East Berkshire and the strong collaboration between statutory agencies to ensure the health and social care needs of the

population are met. These arrangements have been in place for a number of years across a wide spectrum of services such as mental health, learning disabilities and intermediate care; many of which are underpinned by a formal Section 75 agreement.

The collective desire to provide improved outcomes for residents across East Berkshire is gaining momentum and in order to balance the increasingly complex health and social care needs of our population against a financially challenging health and social care landscape. If the Council is to provide better outcomes, better experiences for our population and increased value for money, it is important we drive change and take the opportunity to align and integrate services where appropriate.

The Cabinet is requested to approve the delegation of CHC commissioning, placement, procurement and contract monitoring from East Berkshire CCG to Slough Borough Council, Commissioning and Transformation Service with effect from 1st April 2019.

8 **Appendices Attached**

None.

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SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 21st January 2019

CONTACT OFFICER: Catherine Meek
(For all enquiries) (01753) 875120

WARD(S): All

PORTFOLIO: Councillor Carter – Planning & Transport

PART I
NON-KEY DECISION

CONTRACT IN EXCESS OF £250,000 – BUS SERVICES

1 Purpose of Report

To advise the Cabinet of an additional contract of an estimated value of over £250,000, that is proposed to commence tendering prior to the next meeting of the Cabinet. This is in addition to those that were notified to Cabinet in April 2018.

2 Recommendation(s)/Proposed Action

The Cabinet is requested to resolve that the commencement of tendering for supported passenger transport contracts be approved.

3 Slough Joint Wellbeing Strategy Priorities

This report being entirely administrative in nature does not directly contribute to the SJWS priorities. However the contracts listed in the appendix will contribute to all of the priorities.

4 Joint Strategic Needs Assessment (JSNA)

The JSNA will be considered at the time of letting each contract.

5 Other Implications

(a) Financial

The contract set out is included in approved budgets. Officer delegations authorise Directors to approve expenditure within approved capital budgets and decisions on work programmes within those budgets. Authority to approve additional expenditure up to either 10% or £25,000, whichever is the lower of the total cost of the capital scheme subject to the annual capital payments of the additional expenditure not exceeding the annual amounts included within the capital programme by more than wither 10% or £25,000 whichever is the lowest.

(b) Risk Management

There are no specific issues arising directly from this report.

(c) Human Rights Act and Other Legal Implications

There are no implications arising under the Human Rights Act 1998 in connection with this Report.

The proposed procurement will need to be carried out in compliance with Section 89, 90 and 91 of The Transport 1985 and the Service Subsidy Agreements (Tendering) (England) Amendment Regulations 2004.

The proposed procurement will also need to comply with the Public Contracts Regulations 2015.

Care will also need to be exercised in connection with the proposed procurement to ensure that EU rules on State Aid are not breached as a consequence of the procurement.

All contracts are let in accordance with the Council's agreed Contract Procedure Rules.

(d) Equalities Impact Assessment

This report being entirely administrative in nature and is not therefore applicable to the Equalities Impact Assessment (EIA). EIA's will be fully considered at the time that a contract is let.

(e) Workforce - None.

6 **Supporting Information**

Council's Constitution

Subject to consultations with the Director of Finance & Resources in respect of the acceptance of any tender exceeding £100,000, Directors are authorised to make all decisions on the approval of the select lists of tendered, the invitation, evaluation and acceptance of quotations and tenders and the entering into contracts or agreements for the supply of goods, equipments, materials or services subject to:-

- (a) The intention to tender or enter into a contract of a value exceeding £250,000 having been previously reported and approved by the Cabinet or the appropriate Committee of the Council.
- (b) Exemptions to competitive tendering being reported for information to the Cabinet or the appropriate Committee of the Council.
- (c) Any special requirements or directions given by the Council, its Committees or the Cabinet.

Bus Services

Since First's bus service withdrawals in January 2018, Reading Transport Ltd (RTL) have provided three bus services under emergency provisions with Slough Borough Council.

RTL registered daytime services on part of route 5 between Moor Furlong and Slough Town Centre commercially from October 2018. This leaves early morning, evening and Sunday services, and Cabinet is asked to note that SBC officers have negotiated provision of these under a 'de minimis' arrangement for £89,850 per annum for a two-year period. RTL are unable to provide any part of the other two routes (route 4, evenings and route 6, Sundays) on a commercial basis, and Cabinet is asked to instruct SBC officers to procure these by means of competitive tender at an expected cost to Slough Borough Council of around £70,000 per annum, with a contract length of 5 years.

7 Comments of Other Committees

None.

8 Conclusion

The Cabinet is requested to approve the commencement of tendering for with an estimated value of over £250,000, that is proposed to begin prior to the next meeting of the Cabinet.

9 Appendices

None

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SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 21st January 2019

CONTACT OFFICER: Joe Carter, Director of Regeneration (01753 87 5653)

WARD(S): Central

PORTFOLIO: Cabinet member for corporate finance and housing – Cllr Nazir

PART I
NON-KEY DECISION

NOVA HOUSE; UPDATE ON PROGRESS

1 Purpose of Report

- 1.1 Nova House is a block of 68 apartments in the town centre, converted from offices to residential accommodation in 2015. Following the tragic fire at Grenfell Tower on 14 June 2017 the cladding at Nova House failed two flammability tests and further survey work during the summer and autumn of 2017 revealed significant defects with the compartmentation within the building.
- 1.2 During September 2017 the level of defects within the building was such as to lead both the Royal Berkshire Fire and Rescue Service (“RBFRS”) and the Council to question whether the building could continue to be occupied. Throughout this period the Council and RBFRS were in regular contact with the then owners of the building and began to have concerns about their capacity to undertake the substantial remediation work required to the building.
- 1.3 The primary concerns of the Council were and continue to be to protect the safety of residents, the wider interests of the community as a whole, and the interests of leaseholders (some of whom are also residents of Nova House).
- 1.4 At the end of September 2017 the evidence emerging from the building was such that RBFRS was considering enforcement action which would have led to the immediate evacuation of Nova House. It was agreed with the then owners that, subject to formal agreement by the Cabinet, the Council would take over the shares in the company owning the freehold. This was considered the most pragmatic solution to both protect the interests referred to above and to ensure that the necessary remediation works were undertaken. As agreed by members on 6 October 2017 when Cabinet approved in principle the acquisition of the shares in GRE5, officers proceeded to undertake due diligence which involved looking at the alternatives to acquisition in some detail. Following the period of due diligence the acquisition of the shares in GRE5 Ltd was completed on 7 March 2018.
- 1.5 Interim fire safety measures continue to be in place in the building to ensure the safety of residents, pending the completion of remediation works. These include a high-quality heat detector system, the presence of a 24 hour waking watch and immediate evacuation procedures in the event of fire.
- 1.6 GRE5 is currently seeking to agree an appropriate programme of remediation works as well as pursuing a number of routes for the recovery of costs. It is doing so in continued close collaboration with RBFRS and other regulatory authorities. The work

on cost recovery has made significant progress during December 2018 in relation to both the insurance claim and on the ability to recover the costs of the waking watch service from the leaseholders, should this prove necessary. Notwithstanding this, the company will not be waiting for final resolution of matters on cost recovery before commencing works. These will be started as soon as a programme is agreed.

- 1.7 This report provides Cabinet with a summary of progress on planning remedial works and on work to ensure the recovery of costs. It also updates members on the Government's position on the role of local authorities in ensuring the removal of ACM cladding from privately-owned buildings. A separate report on Part 2 of this agenda deals with the question of a loan facility between the Council and GRE5 Ltd with respect to the remediation works and sets out the position on legal action in more detail.

2 Recommendation(s)/Proposed Action

The Cabinet is requested to resolve:

- a) That the progress to date in establishing an appropriate programme of works for the remediation of Nova House and in ensuring the recovery of costs for the remediation works be noted;
- b) That the Government's latest announcements of support to local authorities in ensuring the removal of ACM cladding from privately- owned housing blocks be noted and the Chief Executive/Cabinet Member/Leader of the Council be authorised to write to the Secretary of State restating the case for support in relation to Nova House, should this prove necessary.
- c) That significant support to GRE5 will be required from a number of Council services as the remedial works are planned and implemented be noted.

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

(a) Slough Joint Wellbeing Strategy Priorities

The remediation work at Nova House will ensure that much needed accommodation is provided in the Borough to a decent standard. It will ensure that residents have access to high quality and safe private rented sector housing. This supports our Housing Strategy that aims to improve the quality of private rented accommodation in Slough.

(b) Five Year Plan Outcomes

The supply of well managed quality private rented accommodation addresses the five year plan outcomes through:

- The provision of accommodation encourages people who work in Slough to also live in Slough, which will in turn help businesses of all sizes to locate, start, grow, and stay;
- Quality accommodation will contribute towards children and young people in Slough being healthy and resilient;
- The supply of homes will help prevent homelessness (where possible) and also help reduce the current financial burden of temporary housing costs.

4 **Other Implications**

(a) Financial

The financial implications of the work at Nova House are dealt with in the separate item on Part 2 of this agenda.

(b) Risk Management

The risk management implications of the work at Nova House are dealt with in the separate item on Part 2 of this agenda.

(c) Human Rights Act and Other Legal Implications

Human Rights Act Implications

The acquisition by the Council of the entire shareholding of GRE5 did not itself raise any immediate issues under the Human Rights Act 1998 ("the Act"). However, the purposes behind the proposed acquisition will affect leaseholders and sub-tenants in Nova House whose interests are property interests and this has the potential to engage Article 1 of the First Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms which is given effect to in the UK by the Act.

The said Article 1 provides that every natural and legal person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and subject to the conditions provided by law. This entitlement is qualified in that Article 1 itself provides that it shall not in any way impair the right of any state to enforce such laws as it deems necessary to control the use of property in the general interest or to secure the payment of taxes or other contributions or penalties.

It is not considered that any proposed actions in relation to Nova House are likely to breach the Act.

Regulatory compliance

In drawing up a programme of works for Nova House GRE5 is in close contact with RBFRS, the Housing Regulation service and SBC Building Control to ensure that the programme is consistent with their requirements

(d) Equalities Impact Assessment

There are no identified needs for an EIA at this juncture.

(e) Workforce

There are no workforce implications identified at this juncture.

(f) Property

The property implications of the work at Nova House are dealt with in the separate item on Part 2 of this agenda.

(g) Carbon Emissions and Energy Costs

There are no carbon emissions and energy cost implications at this juncture.

5 **Supporting Information**

Rationale for the Acquisition of GRE5

Before agreeing to the acquisition of GRE5 as the freeholder of Nova House the Council considered very carefully the options open to it and the implications of pursuing the different options. These considerations still apply to the position as it has developed.

The options considered at the time included do nothing, acquisition, and enforcement under the Housing Act 2004. The conclusion was that under any scenario substantial engagement by the Council in the refurbishment of the building was unavoidable.

As the Local Housing Authority the Council has statutory responsibilities on housing which meant it had to get involved in some way. However, there was a wider responsibility to take a lead to bring order and certainty to the situation.

Throughout its consideration of the position at Nova House the Council's concern has been for the safety of residents. Therefore a key consideration was the speed and certainty of the works being carried out. Both the Council and the Government wanted and expected the remedial works to be carried out as quickly as possible. The option most likely to achieve this was the acquisition.

All of the options, other than do nothing, which was not a viable option, would have involved considerable cost, time and effort, whether through acquisition or enforcement. All of the options involved some financial risk for the Council. It was not possible to be certain which option carried the smaller financial risk. On the one hand, acquisition brought the risk of non-recovery of costs. On the other hand, enforcement brought with it the prospect of other costs, which could be much higher.

However, the primary concern of the Council was not financial. It was to protect the safety of the residents. Acquiring shares in GRE5 brought control and more certainty about the timescale and quality of the remedial works and therefore for protecting the safety of residents. This rationale still applies to the situation at the beginning of 2019.

Programme of Works

A very substantial amount of intrusive survey work has been undertaken on the building both to inform the programme of works and to provide support for legal action to recover costs. This has revealed concerns about the fire resistance of the steel structure to add to the questions of cladding and compartmentation.

Detailed liaison is taking place with the Royal Berkshire Fire and Rescue Service (RBFRS) and the other statutory regulators over the programme of remedial works. The programme proposed and preferred is to replace the cladding, install a comprehensive sprinkler system and deal with the compartmentation and structural issues that could be actioned with residents remaining in situ. Separate and active consideration is being given to undertaking the external works first, including the replacement of the cladding. It is envisaged that an agreement on the programme of works will be reached early in 2019

Cost Recovery

In parallel with the development of the programme of works GRE5 is working on a number of fronts to seek to ensure the full recovery of costs. These are;

- Legal action against BLP/Allianz over the triggering of the insurance policy on the building. In December 2018 the insurer accepted in principle for the first time that the policy probably did cover the compartmentation defects in the building, subject to further investigation. Their view on the coverage on the cladding is expected early in 2019.
- Legal action against 3rd parties involved in the conversion of Nova House in 2015, including the developer, the cladding sub-contractor and the private sector Approved Inspector.
- Application to the First Tier Tribunal for a declaration that the costs of the waking watch are payable by leaseholders should this prove necessary. This application was heard on 28 November 2018 and was successful though is subject to appeal;
- Ensuring that leaseholders would be liable to pay through their service charges for the costs of works should recovery of costs prove unsuccessful through other routes.

With respect to action against the insurer and third parties, it may be necessary to issue proceedings in the near future. This is notwithstanding the partial acceptance by the insurer in relation to compartmentation referred to above.

The company will not be waiting for final resolution of matters on cost recovery before commencing works. These will be started as soon as a programme is agreed. GRE5 has been in constant contact with the leaseholders of the building both over the drawing up of the works programme and the progress with legal action.

Support from the Council

Once a programme of work has been agreed GRE5 will need significant support from the Council in drawing up a detailed specification and undertaking the works. This will involve a number of different services within the Council and will be governed by a Service Level Agreement between SBC and GRE5. The intention as far as possible will be to recover these costs through the routes described above. This is likely to be a significant volume of work for the Council in 2019 and 2020 and it will be necessary to identify a council lead for the project, supported by a project team. The Service Level Agreement is currently being drafted by and will be considered by the Council in January 2019.

Liaison with and Support from the Ministry of Housing, Communities and Local Government (MHCLG)

Throughout the period from 14 June 2017 to the Council's acquisition of GRE5 in March 2018 the Council was in very close contact with MHCLG about the position at Nova House. This contact has continued since the acquisition as part of the Government's regular monitoring of progress on the remediation of ACM cladding on privately-owned residential blocks.

In May 2018 the Interim Chief Executive wrote to MHCLG with a comprehensive update on the position at Nova House. This included a request for various forms of support, should this prove necessary. This included financial support, in the event that the cost recovery strategy, outlined again in this report, was unsuccessful or only partially successful. Although the overall response to the Council's letter was positive and offered advice and support on a number of other matters, it did not provide the financial reassurance the Council was then seeking, on the grounds that no financial provision existed for such assistance with respect to privately-owned blocks.

At the same time, in May 2018, the Prime Minister had announced new funding for social housing landlords to assist with the removal and replacement of ACM cladding. The Council submitted an application for funding from this source on the grounds that the freeholder of Nova House was under the control of a local authority, the works would be funded by a local authority, and the local authority was taking on the financial risk of remediation work. However, the bid was declined on the grounds that Nova House was not a social housing scheme.

Since that time, MHCLG has actively been encouraging the replacement of ACM cladding on private sector blocks and ministers have made statements on this issue. One assertion from ministers is that leaseholders should not be asked to contribute towards the costs of the replacement of ACM cladding and that these costs should be met through other sources and, if necessary, by freeholders. This suggestion has no basis in law but nevertheless forms part of the background in which GRE5 is operating.

A further development came on 29 November 2018 in a written statement by the Secretary of State, aimed at providing more support to local authorities where private owners were not fulfilling their responsibility to remediate unsafe ACM cladding. This included an addendum to the Housing Health and Safety Rating System operating guidance boost the ability of local authorities to take robust enforcement action. The Secretary of State was also to write to local authorities where owners were refusing to remediate ACM cladding to offer full support from MHCLG in taking enforcement action. To quote the statement;

“....This will include financial support where this is necessary for the local authority to carry out emergency remedial work. Where financial support is provided, local authorities will recover the costs from the building owner.”

Clearly Nova House is not an example of where the owner is refusing to carry out remedial work. Quite the contrary. However, this appears to be an acceptance in principle by ministers that there are circumstances in which it is appropriate for the Government to give financial support to local authorities with respect to costs in relation to defects in privately-owned buildings.

In the light of this development, this report recommends that the Council write again to MHCLG setting out the case for financial support in relation to Nova House, should this prove necessary.

Longer-Term Future for Nova House

The remediation works at Nova House are likely to take a considerable period of time to commission and complete, perhaps as much as 18 months to 2 years. The various processes for cost recovery described in this report may take as long or even longer. Nevertheless, once the building is brought up to standard the Council (via its control of GRE5) will control an asset in the freehold that has a value. As the works proceed

it will be necessary to consider how the Council wishes to handle the asset in the longer term.

6 **Comments of Other Committees**

The matter has not been considered by other Committees.

7 **Conclusion**

GRE5 has ensured that the safety of the residents of Nova House has been protected in the short term. Significant progress has been made in defining the scale of problems within the building and drawing up a proposed programme of works. There are positive prospects of the recovery of those costs from a combination of an insurance claim, action against third parties, and the leaseholders. Cabinet is recommended to initiate a fresh approach to Government in relation to financial support, should this prove necessary, given recent ministerial announcements of support to local authorities in dealing with ACM cladding in privately-owned blocks.

8 **Appendices Attached**

None

9 **Background Papers**

None

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SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 21st January 2019

CONTACT OFFICER: Shabana Kauser (Senior Democratic Services Officer)
(For all enquiries) (01753) 875411

WARD(S): All

PORTFOLIO: Cllr Swindlehurst – Leader of Council

PART I
NON-KEY DECISION

REFERENCES FROM OVERVIEW AND SCRUTINY –
CHALVEY REGENERATION STRATEGY UPDATE

1. Purpose of Report

The purpose of this report is to ask Cabinet to consider the recommendation of the Overview and Scrutiny Committee from its meeting held on 10th January 2019.

2. Recommendation

That Cabinet give consideration to the following comments regarding Phase Three of the Chalvey Regeneration Strategy

- a) *Redevelopment of Tower and Ashbourne – Subject to planning, this Council led project will see the demolition of the existing tower blocks, to provide circa 195 flats and houses – a net increase of 80-90 units.* The Committee considered the proposals as over development of the site and that any final plans to include a children's play area.
- b) *Redevelopment of Montem Leisure Centre.* The Committee sought assurance that there would be provision for appropriate green open space within the development.

3 Supporting Information

3.1 Cabinet approved Phase Two of the Chalvey Regeneration Strategy in October 2013. At its meeting held on 19th November 2018 Cabinet reviewed progress made in the 5 year period since October 2013 and recommend projects to be included in Phase Three of the Chalvey Regeneration Strategy.

3.2 In accordance with section 16 of the Overview & Scrutiny Procedure Rules, a Member Call-In was received from Councillors Sharif, Atiq Sandhu and Usmani as follows:

“The main purpose is to debate/discuss Phase 3 of the Chalvey Regeneration Strategy and see if it can be improved to satisfy the local residents.

We will not debate/discuss addendum – PSPO [which was] part of same agenda.”

- 3.3 Committee Members considered details of the Call In and issues regarding traffic, pollution and parking were raised. In particular, Councillor Sharif, a signatory to the Call In, stated that it was vital to ensure that the necessary and appropriate infrastructure was in place to support a development of this size and scale; and that a lack of proper planning and strategy would have a detrimental impact on the viability of the area. Furthermore, improved communication and engagement with residents of the ward regarding Phase Three was essential.
- 3.4 Whilst Committee Members acknowledged the concerns raised by Councillor Sharif, the Director of Regeneration informed the meeting that the appropriate forum regarding discussions relating to the local plan policies and framework was via the planning process.
- 3.5 Members gave consideration to the specific projects outlined for Phase Three of the Chalvey Regeneration Strategy and agreed that the following comments be referred to Cabinet:
- a) *Redevelopment of Tower and Ashbourne – Subject to planning, this Council led project will see the demolition of the existing tower blocks, to provide circa 195 flats and houses – a net increase of 80-90 units.* The Committee considered the proposals as over development of the site and that any final plans to include a children's play area.
 - b) *Redevelopment of Montem Leisure Centre.* The Committee sought assurance that there would be provision for appropriate green open space within the development.

4 **Comments of Other Committees**

Cabinet approved details of projects to be included in Phase Three of the Chalvey Regeneration Strategy at its meeting held on 19th November 2018.

5 **Conclusion**

The Cabinet is requested to decide upon the recommendation outlined in section 2 and discussed in sections 3.1 – 3.3 of this report.

6 **Appendices**

None

7 **Background Papers**

None

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 21st January 2019

CONTACT OFFICER: Catherine Meek, Head of Democratic Services
(For all enquiries) 01753 875011

WARD(S): All

PORTFOLIO: Leader, Regeneration & Strategy – Councillor Swindlehurst

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 endorsed.

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:

1. Protecting vulnerable children
2. Increasing life expectancy by focusing on inequalities
3. Improving mental health and wellbeing
4. Housing

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' - Current Notification of Decisions – published 21st December 2018

7. Background Papers

None.

NOTIFICATION OF DECISIONS

1 JANUARY 2019 TO 31 MARCH 2019

Date of Publication: 21st December 2018

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 68
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 (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 - Regeneration & Strategy | Councillor Swindlehurst |
| • | Deputy Leader - Transformation & Performance | Councillor Hussain |
| • | Environment & Leisure | Councillor Anderson |
| • | Planning & Transport | Councillor Carter |
| • | Regulation and Consumer Protection | Councillor Mann |
| • | Corporate Finance & Housing | Councillor Nazir |
| • | Health & Social Care | Councillor Pantelic |
| • | Children & Education | Councillor Sadiq |

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. 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. Urgent Notices are published on the Council's [website](#).

Cabinet - 21st January 2019

Item	Portfolio	Ward	Priority	Contact Officer	Other Committee	Background Documents	New Item	Likely to be Part II
<u>HRA Rents & Service Charges 2019/20</u> To consider the Housing Revenue Account rent and service charge for 2019/20 and, if agreed, recommend the changes to full Council.	F&H	All	All	Neale Cooper, Head of Finance (Transformation) Tel: (01753) 875417	NCS Panel	None		
<u>Council Tax Support Scheme 2019-20</u> To agree a scheme for the administration of Council Tax support for 2019-20.	F&H	All	All	Neil Wilcox, Director of Finance and Resources (Section 151 Officer) Tel: 01753 875358	-	None		
<u>Delegation of CHC Commissioning, Placement, Procurement and Contract Management Functions</u> To agree that the Continuing Health Care (CHC) commissioning, procurement and contract management functions be delegated through a Section 75 Agreement to Slough Borough Council. In addition the report will outline the longer term ambitions to integrate CHC assessment and review with Bracknell Forest Council, and will outline the IT, HR, GDPR implications.	H&S	All	All	Alan Sinclair, Director of Adults and Communities Tel: (01753) 875752	-	None	√	

Portfolio Key – R&S = Regeneration and Strategy, T&P = Transformation & Performance, E & L = Environment and Leisure, C&E = Children & Education, P & T = Planning & Transport, R & C = Regulation and Consumer Protection, H & S = Health and Social Care, F&H = Corporate Finance & Housing

Bold – Key Decision

Non-Bold – Non-Key Decision

Italics – Performance/Monitoring Report

<u>Business Rates Policies - Retail Discounts 2019/20</u> To agree a Council policy for the financial year 2019-20 in respect of Business Rates Retail Discount as announced in the Autumn Budget 2018.	F&H	All	All	Neil Wilcox, Director of Finance and Resources (Section 151 Officer) Tel: 01753 875358	-	None	√	
<u>Nova House Update</u> Further to the decisions taken by the Cabinet on 6 th October 2017 leading to the acquisition Nova House, Slough to improve fire safety, the Cabinet will receive an update and take any necessary decisions on future arrangements.	F&H	Central	All	Joe Carter, Director of Regeneration Tel: (01753) 875653	-	None	√	Yes, p3 LGA
<u>References from Overview & Scrutiny</u> <i>To consider any references from the Overview & Scrutiny Committee and Scrutiny Panels.</i>	T&P	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>	R&S	All	All	Catherine Meek, Head of Democratic Services Tel: 01753 875011	-	None		

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Bold – Key Decision

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Italics – Performance/Monitoring Report

Cabinet - 4th February 2019

Item	Portfolio	Ward	Priority	Contact Officer	Other Committee	Background Documents	New Item	Likely to be Part II
<u>Quarterly Financial Update - Revenue, Quarter 3 2018/19</u> To receive an update on the latest revenue position and to consider any write off requests, virements and any other financial decisions requiring Cabinet approval.	F&H	All	All	Barry Stratfull, Service Lead Finance Tel: (01753) 875748	O&S	None		
<u>Quarterly Financial Update - Capital, Quarter 3 2018/19</u> To receive an update on the capital programme for the third quarter of the year.	F&H	All	All	Barry Stratfull, Service Lead Finance Tel: (01753) 875748	-	None		O&S
<u>Five Year Plan 2019-2024</u> To consider, and if agreed, to recommend to Council the refreshed Five Year Plan setting out the Council's strategic priorities.	R&S	All	All	Dean Tyler, Service Lead Strategy & Performance Tel: (01753) 875847	-	None		
<u>Revenue Budget 2019/20 and MTFS 2019-2023</u> To consider, and if agreed, to recommend to Council the Revenue Budget 2019/20 and the Medium Term Financial Strategy 2019-2023.	R&S	All	All	Neil Wilcox, Director of Finance and Resources (Section 151 Officer) Tel: 01753 875358	O&S, 31/1/19	None		

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Bold – Key Decision

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Italics – Performance/Monitoring Report

<u>Capital Strategy 2019-2024</u> To consider, and if agreed, to recommend to Council the Capital Strategy for the period between 2019-2024.	R&S	All	All	Neil Wilcox, Director of Finance and Resources (Section 151 Officer) Tel: 01753 875358	O&S, 31/1/19	None		
<u>Treasury Management Strategy 2019/20</u> To consider, and if agreed, to recommend to Council the Treasury Management Strategy for 2018/19.	R&S	All	All	Neil Wilcox, Director of Finance and Resources (Section 151 Officer) Tel: 01753 875358	O&S, 31/1/19	None		
<u>Cashier's Service Update</u> Further to the decisions of the Cabinet on 15 th October 2018, to consider the options and take further decisions arising from the investigative work on the future provision of the Council's cashier's service.	F&H	All	All	Neil Wilcox, Director of Finance and Resources (Section 151 Officer) Tel: 01753 875358	-	None		
<u>Trelawney Avenue Community Hub</u> To receive an update and take decisions on the plans for the Trelawney Avenue Community Hub as part of the wider redevelopment plan previously agreed by Cabinet.	R&S, H&S	Langley Kedermister	All	Stephen Gibson, Head of Asset Management Tel: 01753 875852	-	None		Yes, p3 LGA
<u>References from Overview & Scrutiny</u> <i>To consider any recommendations from the Overview & Scrutiny Committee and the Scrutiny Panels.</i>	T&P	All	All	Shabana Kauser, Senior Democratic Services Officer Tel: 01753 787503	-	None		

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Bold – Key Decision

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Italics – Performance/Monitoring Report

<u>Notification of Forthcoming Decisions</u> <i>To endorse the published Notification of Decisions.</i>	R&S	All	All	Catherine Meek, Head of Democratic Services Tel: 01753 875011	-	None		
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Cabinet - 18th March 2019

Item	Port-folio	Ward	Priority	Contact Officer	Other Committee	Background Documents	New Item	Likely to be Part II
<u>Performance & Projects Report: Quarter 3, 2018/19</u> To receive a report on the progress against the Council's performance indicators, priorities and key projects for the period between October to December 2018.	T&P	All	All	Dean Tyler, Service Lead Strategy & Performance Tel: (01753) 875847	O&S	None		
<u>Hub Strategy Update</u> To consider approval of the Council's strategy for the future community hubs in Slough.	H&S, R&S	All	All	Stephen Gibson, Head of Asset Management Tel: 01753 875852	-	None		Yes, p3 LGA
<u>Gender Pay Gap Reporting 2018/19</u> To receive the annual report on Slough Borough Council's Gender Pay Gap for 2018/19.	H&S, R&S	All	All	Christine Ford, Equality and Diversity Manager Tel: 01753 875069	-	None	√	

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Bold – Key Decision

Non-Bold – Non-Key Decision

Italics – Performance/Monitoring Report

<u>Slough Mass Rapid Transit Phase 2</u> To consider a report on the progression of Phase 2 of the Slough Mass Rapid Transit scheme eastwards from Slough town centre.	P&T	All	All	Savio DeCruz, Service Lead Major Infrastructure Projects Tel: 01753 875640	-	None		
<u>Private Rented Property Licensing</u> Further to the Cabinet decisions of 17 th September 2018, the receive the response to the consultation, and take any necessary decisions, on the borough wide Additional Licensing Scheme and a Selective Licensing Scheme for the Central and Chalvey wards for private rented sector housing.	F&H	All	All	Amir Salarkia, Interim Housing Regulation Manager Tel: 01753 875540	-	None	√	
<u>References from Overview & Scrutiny</u> <i>To consider any references from the Overview & Scrutiny Committee and Scrutiny Panels.</i>	T&P	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>	R&S	All	All	Catherine Meek, Head of Democratic Services Tel: 01753 875011	-	None	√	

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Italics – Performance/Monitoring Report

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