

## MINUTES OF COUNCIL PROCEEDINGS

At a Meeting of the Council for the Borough of Slough held at the Council Chamber - Observatory House, 25 Windsor Road, SL1 2EL on Thursday, 22nd July, 2021 at 7.00 pm

**Present:-** The Worshipful the Mayor (Councillor Nazir), in the chair; Councillors Ajaib, Akram (until 10.45pm), Ali, Anderson, Bal, Bains, Basra, Bedi, Brooker, Carter, A Cheema, H Cheema, J Davis, R Davis, Dar, Dhaliwal, Gahir, Grewal, Hulme, Kaur, Kelly, Malik, Mann, Matloob, Minhas, Mohammad, Muvvala, Pantelic, D Parmar, S Parmar, Qaseem (until 9.49pm), Sabah (until 10.45pm), Sandhu, Sharif, Smith, Strutton, Swindlehurst and Wright.

**Apologies for Absence:-** Councillors Begum, Gill and Hussain.

### 13. Declarations of Interest

Councillor Bal declared that his daughter had previously worked for the Council.

Agenda item 13 (Motion B Trustee Committee) - Councillor Strutton declared that he was Vice-Chair of the Trustee Committee and it was noted that Councillors Bains, Bal, Matloob, Satpal Parmar, Sabah and Swindlehurst were also members of the Committee.

### 14. To approve as a correct record the Minutes of the Council held on 20th May 2021

**Resolved** - That the minutes of the Council meeting held on 20<sup>th</sup> May 2021 be approved as a correct record, subject to amending the resolution for Minute 2 to "Councillor Mohammed Nazir be elected as Mayor for the Municipal Year 2021/22" and not "2020/2021."

### 15. To receive the Mayor's Communications.

The Mayor welcomed Father Darcy Chesterfield-Terry to the meeting and thanked him for continuing as the Mayor's Chaplain for 2020/21.

Members were reminded that although restrictions had been lifted by Central Government, it was important that all councillors continued to advise residents to be mindful of staying safe by wearing masks social distancing where possible.

The Mayor announced that he was taking part in the Slough Together Charity Walk 2021 on 28<sup>th</sup> August starting in Upton Court Park and that he would like to put a team together to raise funds for the Mayor's Charity supporting local organisations. Any Member interested in joining the team was advised to contact the Mayor's Executive Assistant.

**16. To consider a motion submitted under Procedure Rule 14.1 (C) - To Remove the Leader of the Council**

It was moved by Councillor Strutton,  
Seconded by Councillor Bedi,

“This Council has lost confidence in the current Leader of the Council, Councillor James Swindlehurst; and we the undersigned hereby call for a vote to be taken to remove Councillor James Swindlehurst as Leader of the Council, under Council Procedure Rule 14.1 ( C ). The motion relates to actions taken and the conduct of the Leader in his role in public office.

Since his election as Leader of the Council, Councillor Swindlehurst has overseen a culture of financial mismanagement which has culminated in Slough Borough Council issuing a Section 114 notice. The lack of transparency, and internal scrutiny has seen Slough Borough Council come in breach of its statutory requirements in relation to the calculation of the Minimum Revenue Position (MRP). It is symptomatic of an administration led by Councillor Swindlehurst which has seen borrowing quadruple to £760 million, and a projected deficit of £159 million by 2025.

Councillor Swindlehurst has shown himself incapable of accepting internal scrutiny, and of implementing a policy of fiscal prudence. This Council therefore has no confidence in Councillor Swindlehurst’s ability to take the Council forward as Leader, and to implement the necessary changes to put the Council in a financially sustainable position. **This Council therefore resolves to remove him from his position as Leader of the Council.**”

A prior request having been made for the record of the voting:

There voted for the motion:

Councillors Bedi, Kelly, Muvvala, Smith, Strutton and Wright..... 6

There voted against the motion:

Councillors Ajaib, Akram, Ali, Anderson, Bains, Bal, Basra, Brooker, Carter, A.Cheema, H.Cheema, Dar, J.Davis, R.Davis, Dhaliwal, Gahir, Grewal, Hulme, Kaur, Malik, Mann, Matloob, Minhas, Mohammad, Pantelic, S.Parmar, Qaseem, Sabah, Sandhu, Sharif and Swindlehurst.....31

There abstained from voting on the motion:

Councillor D Parmar and The Worshipful the Mayor, Councillor Nazir .....2

**Resolved – That the motion not be carried.**

**17. Questions from Electors under Procedure Rule 9.**

Five elector questions had been received, all of whom were present at the meeting and asked a supplementary question. A written copy of the replies would be sent to the electors.

**18. Section 114 Report and Chief Executive's Response**

The Mayor varied normal procedure rules to allow the Chief Executive, Section 151 Officer and the Council's external auditors, Grant Thornton, to address the meeting; following which they received a number of questions from Members.

The Section 151 Officer highlighted Slough's borrowing per head of population in 2015/16 compared to 2020/21, which saw the Council move from a position of twenty first to the third highest borrowing rate in comparison to other local unitary authorities. The Minimum Rate Provision from 2011 to date was explained and it was noted that the estimated accumulated deficit as at 31 March 2022 was £111.7m and that this was estimated to increase by £62.4m to £174.1m by 31 March 2025. Approximate savings of circa £16-18m were required in each financial year to address the deficit, which were likely to include the sale of assets held by the Council. Although financial experts had been brought in to address matters, given the scale of the issues that had been identified it was likely that further resources in the finance team would be required.

In addressing the meeting, the Chief Executive acknowledged the current financial situation was due to the accumulation of a number of financial issues over the years. Governance arrangements had been strengthened and the Council was working closely with MHCLG and external auditors. Members were requested to endorse the Chief Executive's response to the S114 report as detailed in the report.

Paul Dossett, from Grant Thornton, the Council's external auditors, stressed the importance of collective responsibility from officers and members in taking measures to restore the Council's finances. The Council was facing a hugely challenging period and radical measures would need to be taken to improve the financial position, which included the need for investment in the finance team and the possibility of cuts to front line services.

It was moved by Councillor Swindlehurst,  
Seconded by Councillor Akram,

- “ a) Endorse the findings in the Section 114 report;  
b) Endorse the Chief Executive's response to the Section 114 Report, including, specifically:  
    the proposals to control in-year spending;  
    the proposals for the budget setting process for 2022/23, including the role of Overview and Scrutiny and plans for public consultation;  
c) Note the Council's ongoing discussions with MHCLG in relation to securing a further capitalisation direction;

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- d) Note the Chief Executive's response and that if it is not delivered, and/or sufficient savings are not identified, the s.151 Officer may issue a further s.114 report."

*(Councillor Qaseem left the meeting)*

The recommendations were put to the vote and agreed unanimously.

### **Resolved –**

- a) Endorse the findings in the Section 114 report;
- b) Endorse the Chief Executive's response to the Section 114 Report, including, specifically:
- the proposals to control in-year spending;
  - the proposals for the budget setting process for 2022/23, including the role of Overview and Scrutiny and plans for public consultation;
- c) Note the Council's ongoing discussions with MHCLG in relation to securing a further capitalisation direction;
- d) Note the Chief Executive's response and that if it is not delivered, and/or sufficient savings are not identified the S151 Officer may issue a further s.114 report.

## **19. Section 24 Statutory Recommendations**

It was moved by Councillor Swindlehurst,  
Seconded by Councillor Akram,

"That the Section 24 statutory recommendations, as set out in the report, be accepted."

The recommendation was out to the vote and agreed unanimously.

**Resolved** - That the Section 24 statutory recommendations, as set out in the report, be accepted.

## **20. Agreement to various financial decisions with regards to GRE5 to proceed with essential replacement cladding works at Nova House**

It was moved by Councillor Swindlehurst,  
Seconded by Councillor Mann,

- (a) "That the variation to the Council's investment strategy, as set out in the report, which will enable (b) and (c) to take place be approved;
- (b) That delegated authority be provided to the s151 Officer after consultation with the Chief Executive and the SRO for this programme (Executive Director - Transformation) to enter into a loan facility agreement with GRE5 for up to £7m (with an option to increase this by up to a further £3m – a maximum of £10m); and

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- (c) That a parent company guarantee be provided to SUR LLP in relation to development costs for the replacement of cladding at Nova House that are not funded by Homes England (“HE”).”

The recommendations were put to the vote and agreed unanimously.

### **Resolved –**

- (a) That the variation to the Council’s investment strategy, as set out in the report, which will enable (b) and (c) to take place be approved;
- (b) That delegated authority be provided to the s151 Officer after consultation with the Chief Executive and the SRO for this programme (Executive Director - Transformation) to enter into a loan facility agreement with GRE5 for up to £7m (with an option to increase this by up to a further £3m – a maximum of £10m); and
- (c) That a parent company guarantee be provided to SUR LLP in relation to development costs for the replacement of cladding at Nova House that are not funded by Homes England (“HE”).

## **21. Appointment of Monitoring Officer**

The Mayor proposed that Council Procedure Rule 22.2 - before any discussion on the appointment of a Council employee the Council shall exclude the press and public – be suspended in order to consider the matter in Part I of the meeting. It was unanimously agreed to suspend Council Procedure Rule 22.2.

It was moved by Councillor Swindlehurst,  
Seconded by Councillor Akram,

“That Angela Wakefield be appointed as the Council’s Monitoring Officer with effect from 1<sup>st</sup> October 2021.”

The recommendation was put to the vote and agreed unanimously.

**Resolved –** That Angela Wakefield be appointed as the Council’s Monitoring Officer with effect from 1<sup>st</sup> October 2021.

## **22. Our Futures Programme - Approval of Severance Packages**

It was moved by Councillor Swindlehurst,  
Seconded by Councillor Akram,

“That the severance packages as set out in the appendix to the report be agreed.

The recommendation was put to the vote and carried by 28 votes for with 8 abstentions.

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**Resolved** - That the severance packages as set out in the appendix to the report be agreed.

### 23. Response to Review of Parliamentary Boundaries

It was moved by Councillor Swindlehurst,  
Seconded by Councillor Akram,

“That the draft response to the review of Parliamentary Boundaries, as at Appendix A to the report, be submitted to the Boundary Commission for England by 2<sup>nd</sup> August 2021.”

The recommendation was put to the vote and carried by 28 votes for, 3 against and 5 abstentions.

**Resolved** - That the draft response to the review of Parliamentary Boundaries, as at Appendix A to the report, be submitted to the Boundary Commission for England by 2<sup>nd</sup> August 2021.

In accordance with Council Procedure Rule 8.1, the Mayor proposed that the meeting continue past 10.30pm to complete all the remaining business. This was put to the meeting and it was unanimously agreed.

### 24. Covid-19 Decisions Update

It was moved by Councillor Swindlehurst,  
Seconded by Councillor Akram,

(a) “That the report be noted; and

(b) That the significant decisions taken by Silver as set out in the Appendix be ratified insofar as they relate to Council functions.”

The recommendations were put to the vote and agreed unanimously.

**Resolved** -

(a) That the report be noted; and

(b) That the significant decisions taken by Silver as set out in the Appendix be ratified insofar as they relate to Council functions.

### 25. To consider Motions submitted under procedure Rule 14.

Motion A - New deal for funding Adult Social Care and ensuring integration of health care services

It was moved by Councillor Pantelic,  
Seconded by Councillor Gahir,

“This council notes that, despite the Prime Minister’s pledge in 2019 to prioritise Adult Social Care, no progress has been made on a future funding model for

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social care. This Council therefore calls on the government to make good on its promise to 'fix social care' and secure a long term and sustainable funding settlement for social care that:

- Provides ongoing investment to allow councils to move beyond the traditional model of wellbeing to one of prevention, reablement, more appropriate accommodation and community care and support;
- Stops the short-term financial approach of one-off grants and the adult social care precept that are sticking plaster solutions which are unsustainable and act as a hinderance to sustainable long-term planning;
- Protects people from having to sell their home to pay for care;
- Ensures the Health and Care Bill will solidify integrated working at place with proper funding attached
- Commits to fully involving local councils in the process of integrating services and works with the Local Government Association to ensure the new legislation works for local communities."

The motion was put to the vote and agreed unanimously.

### **Resolved –**

This council notes that, despite the Prime Minister's pledge in 2019 to prioritise Adult Social Care, no progress has been made on a future funding model for social care. This Council therefore calls on the government to make good on its promise to 'fix social care' and secure a long term and sustainable funding settlement for social care that:

- Provides ongoing investment to allow councils to move beyond the traditional model of wellbeing to one of prevention, reablement, more appropriate accommodation and community care and support;
- Stops the short-term financial approach of one-off grants and the adult social care precept that are sticking plaster solutions which are unsustainable and act as a hinderance to sustainable long-term planning;
- Protects people from having to sell their home to pay for care;
- Ensures the Health and Care Bill will solidify integrated working at place with proper funding attached
- Commits to fully involving local councils in the process of integrating services and works with the Local Government Association to ensure the new legislation works for local communities.

### Motion B – Trustee Committee

The Mayor informed the meeting that Councillor Strutton was the proposer for the motion and not Councillor Kelly as stated in the agenda.

It was moved by Councillor Strutton,  
Seconded by Councillor Muvvala,

"This Council acknowledges:

- The Trustees Committee meets on behalf of the residents of Slough; representing their interests, and that the decisions taken by the Trustees Committee impact on the future of public spaces such as Langley Memorial Park, Salt Hill Park, our local war memorials and charities trusts which are used by residents of all ages across Slough, and;

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- That the minutes of the Trustees Committee are not publicly accessible for residents, and that residents do not have the facility to ask questions of the Committee.

Resolves to:

- Make the minutes of the Trustees Committee available for public viewing, except in relation to Part II papers, thereby providing greater transparency and accountability in the work and decisions this Committee undertakes, and the role of this Council as being the responsible Corporate Trustee.
- Provide the opportunity to residents and local organisations, to submit questions to the Chair and Trustees who sit on the Committee.”

It was moved by Councillor S Parmar, as an amendment,  
Seconded by Councillor Bains,

“This Council acknowledges:

- ~~The Trustee Committee meets on behalf of residents of Slough; representing their interests, and that the~~ **The unanimous decision of the Full Council held on Tuesday 24<sup>th</sup> April 2018 to establish the Trustee Committee.** Decisions taken by the Trustees committee impact on the future of public spaces such as Langley Memorial Park, Salt Hill Park, our local war memorials and charities trusts which are used by residents of all ages across Slough, ~~and;~~
- ~~That the minutes of the Trustees Committee are not publicly accessible for residents, and that residents do not have the facility to ask questions of the committee.~~
- **Part 4.1 of the Council’s procedure rules as contained in the Council’s Constitution states; “At an ordinary meeting of the Council a registered elector/resident of the Borough (not being a Member of the Council) may ask the Leader, Lead Members, Chairs or Group Leaders questions relating to any Council.”**

**This Council** resolves to:

- Make the minutes of the Trustees Committee available for public viewing **from its next meeting**, except in relation to Part II papers, thereby providing greater transparency and accountability in the work and decisions this Committee undertakes and the role of this Council as being a responsible Corporate Trustee.”

~~Provide the opportunity to residents and local organisations, to submit questions to the Chair and Trustees who sit on the Committee~~

The amendment was put to the vote and carried with 28 votes for and 4 abstentions and became the substantive motion.

The substantive motion was put to the vote and carried with 28 votes for and 4 abstentions.

**Resolved -**

This Council acknowledges:

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- The unanimous decision of the Full Council held on Tuesday 24<sup>th</sup> April 2018 to establish the Trustee Committee. Decisions taken by the Trustee Committee impact on the future of public spaces such as Langley Memorial Park, Salt Hill Park, our local war memorials and charities trusts which are used by residents of all ages across Slough
- Part 4.1 of the Council's procedure rules states; "At an ordinary meeting of the Council a registered elector/resident of the Borough (not being a Member of the Council) may ask the Leader, Lead Members, Chairs or Group Leaders questions relating to any Council Policy."

Resolves to:

- Make the minutes of the Trustees Committee available for public viewing from its next meeting, except in relation to Part II papers, thereby providing greater transparency and accountability in the work and decisions this Committee undertakes and the role of this Council as being a responsible Corporate Trustee

### Motion C – Financial Recovery

Prior to considering this motion, the Mayor sought the Council's agreement to suspend standing orders 12.1 (b) which stated that the council shall not discuss any complaint or performance of an officer which is or could be the subject of an investigation under the council's relevant disciplinary policy; and procedure rule 22.2 which required that any motions on council employees shall be in Part II of the meeting.

It was unanimously agreed to suspend council procedure rules 12.1 (b) and 22.2.  
*(Councillors Akram and Sabah left the meeting)*

It was moved by Councillor Bedi,  
Seconded by Councillor Kelly,

"This Council acknowledges:

- That Slough Borough Council is in an exceptional financial crisis and notes the Secretary of State's comments regarding the "poor leadership" which led us to this point.

Resolves to:

- Request that the Council's Investigating and Disciplinary Committee consider the capability of the Chief Executive of the Council to lead us to financial recovery."

It was moved by Councillor Carter, as an amendment,  
Seconded by Councillor Minhas,

"This Council acknowledges:

- That Slough Borough Council is in an exceptional financial crisis and notes the Secretary of State's comments regarding the "poor leadership" which led us to this point, and—

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This Council Resolves to:

- ~~Request that the Council's Investigating and Disciplinary Committee consider the capability of the Chief Executive of the Council to lead us to financial recovery.~~
- Work to lead financial recovery, supporting the Council Leader and Cabinet who will set out revised expectations of the Chief Executive and Executive Board to deliver at pace the changes required to put this Council on a sound financial footing.
- Receive at September Full Council a plan including key milestones to achieve financial recovery and specific expectations for individual directorates. These will be regularly monitored through appropriate Lead Member(s) meeting with their executive directors and contributing to the performance management of senior officers through our new Objectives and Key Results performance management framework (which have been recently agreed via the Transformation Programme)"

The amendment was put to the vote and carried with 29 votes for and 8 abstentions and became the substantive motion.

The substantive motion was put to the vote and carried with 29 votes for and 8 abstentions.

### **Resolved –**

This Council acknowledges:

- That Slough Borough Council is in an exceptional financial crisis and notes the Secretary of State's comments.

This Council resolves to:

- Work to lead financial recovery, supporting the Council Leader and Cabinet who will set out revised expectations of the Chief Executive and Executive Board to deliver at pace the changes required to put this Council on a sound financial footing.

Receive at September Full Council a plan including key milestones to achieve financial recovery and specific expectations for individual directorates. These will be regularly monitored through appropriate Lead Member(s) meeting with their executive directors and contributing to the performance management of senior officers through our new Objectives and Key Results performance management framework (which have been recently agreed via the Transformation Programme)

## **26. To note Questions from Members under Procedure Rule 10**

Two member questions had been received, details of which and replies had been published in the supplementary agenda.

Chair

(Note: The Meeting opened at 7.00 pm and closed at 11.00 pm)