

Cabinet – Meeting held on Monday, 21st January, 2019.

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

Also present under Rule 30:- Councillor Strutton

Apologies for Absence:- Councillor Carter

PART 1

86. Declarations of Interest

Councillor Hussain declared that Nova House (items 8 and 13) was in her ward.

87. Minutes of the Meeting held on 17th December 2018

Resolved – That the minutes of the meeting of the Cabinet held on 17th December 2018 be approved as a correct record.

88. Housing Rents & Service Charges 2019/20

The Head of Finance (Transformation) introduced a report that presented the changes in housing rents and service charges for 2019/20 for social housing and asked that they be recommended to full Council on 29th January 2019.

It was proposed that Council house dwelling rents would decrease by 1% from Monday 1st April 2019 and that garage rents, heat, utility, ancillary charges and service charges rise by 2.4% based on the September CPI inflation figure. The Cabinet noted that the decrease was in line with the legislative requirement that social rents be reduced by 1% less than the amount payable by the tenant in the preceding 12 months each year. This was the final year for which this policy would apply and the Government had indicated that from 2020 a greater degree of discretion would be given back to local authorities which would help them to invest in repairs and stabilise the decline in rental income.

It was confirmed that rents for Development Initiative for Slough Housing properties would be realigned and rent reductions and would be backdated to 2016/17.

Councillor Strutton addressed the Cabinet under Rule 30 and asked what was being done to ensure that tenants received good value from the increased service and other charges. The Leader commented that the rises were in line with inflation and the Council was committed to seek to deliver good value for money to tenants. The Lead Member for Corporate Finance & Housing would investigate any particular trends or patterns relating to housing complaints and address any issues that were raised.

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After due consideration, the Cabinet agreed to recommend the proposed rent and service charges to full Council.

Recommended –

- (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 was 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 was based upon the September CPI figure.
- (c) Service charges to increase by 2.4% with effect from Monday 1st April 2019. This was 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 were Pendeen Court and 81-83 High Street used as emergency and temporary accommodation for homeless households.

89. Council Tax Support Scheme 2019-20

The Lead Member for Corporate Finance & Housing and the Director of Finance & Resources introduced a report that sought approval of the Council Tax Support Scheme for 2019-20.

The Council was required to approve the scheme annually and it was proposed that the scheme for the current year be continued, with the relevant upratings. The scheme was last fully reviewed in 2016/17 and had taken account of changes to welfare benefits. Any significant changes would require a consultation and it was intended to carry out a further fundamental review during 2019/20.

The Cabinet agreed that the scheme was important in providing support to vulnerable people in Slough and commented that the level of support was consistent with that provided in previous years. The scheme detailed in Appendix A was therefore approved.

Resolved –

- (a) To continue in 2019-20 with the current Council Tax Support Scheme, as 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

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regulations as defined in the scheme in line with the statement from the Department of Work and Pensions (DWP).

- (b) That the Council Tax Support scheme as detailed in appendix A to the report be agreed.

90. Business Rates Policies 2019/20 - Retail Discounts

The Cabinet considered a report that sought approval for a Business Rates Retail Discount Policy.

The Chancellor had announced the nationally funded scheme in the 2018 Autumn Budget to recognise the issues faced by the retail sector. The Council was required to adopt a policy to implement the scheme. It would provide a discount of one third of the bill for occupied retail properties with a rateable value of less than £51,000 in both 2019/20 and 2020/21. The policy closely followed Government guidance, however, it was proposed that takeaways, off licences and licenced sex establishments be excluded from the discount.

The Cabinet welcomed the support for retailers and agreed with the exclusions. Officers clarified how the discounts would apply to premises with multiple uses, for example a fuel retailer with an off-licence; the process for reimbursement for discounts; and the administrative burdens of operating the scheme. It was also noted that the discount would be applied automatically.

At the conclusion of the discussion, the policy as at Appendix A to the report was agreed.

Resolved – That the policy for Retail Discounts as set out in Appendix A to the report be approved.

91. Delegation of CHC Commissioning, Placement, Procurement and Contract Management Functions

The Lead Member for Health & Social Care introduced a report that sought agreement for the development of a new operating model for Continuing Health Care (CHC) and Section 117 of the Mental Health Act 1983 aftercare across East Berkshire.

The services were currently provided by East Berkshire Clinical Commissioning Group (CCG) but the proposal was to deliver them in partnership with the three East Berkshire local authorities with Slough Borough Council being delegated the commissioning, placement, procurement and contract management functions for a range of CHC service areas with effect from 1st April 2019. The Lead Member commented that it was an opportunity to further the integration and alignment of services with the NHS and local authority partners to deliver better outcomes to vulnerable residents. It was noted that East Berkshire CCG had agreed to delegate the management of CHC procurement and commissioning to the Council and,

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subject to Cabinet agreement, this would involve the CCG commissioning team moving to Slough in phase 1 from 1st April 2019.

The Cabinet discussed the timescale for implementation, whether they were any staffing risks and the opportunities for further integration with the NHS for other services in the future. It was noted that staff would not be transferring under TUPE as this was a partnership agreement with staff co-located.

At the conclusion of the discussion, the Cabinet welcomed the proposal and agreed the recommendations.

Resolved –

- (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 be 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.

92. Contract in Excess of £250,000 - Bus Services

A report was considered that sought approval to commence tendering for supported passenger transport contracts. Cabinet approval was required prior to tendering as the contract was not on the list approved in April 2018 and exceeded £250,000 over the lifetime of the contract.

The Cabinet discussed the background to the proposed contract and noted that since First Bus withdrawal of services in January 2018, Reading Transport Ltd had provided three bus services under emergency provisions with the Council. One of these, Route 5 between Moor Furlong and the town centre was now operating commercially from October 2018, however, the other two routes 4, evenings and 6, Sundays, were not sustainable commercially and the Cabinet was asked to procure them by means of competitive tender at an expected cost of £70,000 per annum with a contract length of 5 years.

The Cabinet discussed the proactive action that had been taken in the past year to increase the plurality of provision in bus services in Slough following the withdrawal of some First services. It was agreed that it was important to

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encourage a competitive bus market in Slough to ensure services in the town were not over-reliant on a single operator.

Speaking under Rule 30, Councillor Strutton suggested that the through ticketing should be considered in the tendering process. The Leader commented that the problems of through ticketing were largely down to the decisions that First had taken, however, they had recently requested to re-establish the Bus Partnership. The Council had agreed and would continue to work with operators to promote integrated travel. It was also noted that the Transport Strategy would be presented to Cabinet for approval soon.

At the conclusion of the discussion, it was agreed that tendering for the supported passenger transport contracts be approved.

Resolved – That the commencement of tendering for supported passenger transport contracts be approved.

93. Nova House: Update on Progress

The Director of Regeneration introduced a report that provided an update on progress on planning remedial works to Nova House and on the work to ensure the recovery of costs for the essential fire safety repairs.

The principle reason for the Council's acquisition of GRE5, the freeholder of Nova House, was to protect the safety of residents. A substantial amount of survey work had been undertaken to both inform the programme of remedial works and to provide support for the legal action to recover costs. The survey work had revealed substantial concerns about the fire resistance of the steel structure in addition to the issues regarding the cladding and compartmentation. It was noted that the work had been done in full liaison with the Royal Berkshire Fire & Rescue Service (RBFRS) and other statutory regulators. The proposed programme was to replace the cladding, install a sprinkler system and deal with the compartmentation and structural issues whilst the residents remained in situ. There was an alternative option of stripping back the building and effectively rebuilding it but this would cause more disruption to residents and would be more costly. The first option was therefore preferred, subject to RBFRS being in agreement that it would address the fire safety issues. It was envisaged that this agreement could be reached soon.

The Cabinet discussed the process undertaken to recover the costs and it was noted that the insurance policy for the compartmentation issues had been triggered and accepted in principle, subject to caveats, and a view on the coverage of the cladding was expected in early 2019. The option of action against third parties, including the developer, cladding sub-contractor and private sector Approved Inspector was being considered. Leaseholders would be liable to pay for the costs through service charges if not recovered through other routes. It was emphasised that the commencement of works would not be delayed by the action to recovery costs. The priority was to implement the measures and ensure safety in the meantime, for example

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through the 24 hour waking watch which remained in place. The estimated cost of works was being assessed and the Cabinet would consider a further report in Part II of the agenda regarding the financial implications of Council support. There would be significant other support required from the Council and this would be subject to a Service Level Agreement with GRE5.

The Council had been in close contact with the Ministry of Housing, Communities and Local Government (MHCLG) about Nova House since the issues arose in 2017. It was proposed and agreed that the Council write to MHCLG setting out the case for financial support to Nova House, should that prove necessary. Lead Members discussed a number of issues arising from SBCs experience with Nova House and some of the lessons learned. It was agreed that the issues raised were significant and wide ranging and could help inform future policy. These included the role of private sector building inspectors and the prior approval of office to residential conversions. It was agreed that delegated authority be given to the Chief Executive and Director of Regeneration to write to Ministers and/or other bodies, possibly the Grenfell Tower Inquiry, to highlight the lessons learnt in Slough in the wider public interest.

The Cabinet agreed that the safety of residents was the top priority and sought assurance that all necessary steps were being taken in this regard. Officers provided assurance both in terms of the short term measures such as the waking watch trained fire presence and the heat detector system put in place, and the work programme to address the fundamental safety issues with the building.

At the conclusion of the discussion, the recommendations were approved and it was also agreed to widen the scope of the delegation to write to Ministers and relevant other bodies on the lessons learnt from Nova House.

Resolved –

- (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, and to write to Ministers and appropriate bodies to raise any of the wider issues and lessons learned that had arisen during this process.
- (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.

94. References from Overview & Scrutiny

The Cabinet considered a reference from the from the Overview & Scrutiny Committee, 10th January 2019 relating to a Member Call-in of Phase Three of the Chalvey Regeneration Strategy. The matters referred by the Committee and the response of Cabinet is set out as follows:

- (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.*

The Cabinet agreed pass the comments on to the Officers developing the scheme and to the Planning Manager for consideration once the application had been submitted and to be assessed against the Council’s agreed policies.

- (b) Redevelopment of Montem Leisure Centre. The Committee sought assurance that there would be provision for appropriate green open space within the development.*

The Cabinet agreed to write to Chair of the Committee to give assurance on the provision of green open space in the development and to invite him to view the current plans.

Resolved – That the Cabinet’s response to the Call-in from the Overview & Scrutiny Committee be noted.

95. Notification of Forthcoming Decisions

The Cabinet considered and endorsed the Notification of Decisions published on 21st December 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 January to March 2019 be endorsed.

96. Exclusion of Press and Public

Resolved – That the press and public be excluded from the meeting during the consideration of the items in Part II of the agenda as they 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 matter considered during Part II of the agenda.

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97. Part II Minutes - 17th December 2018

The minutes of the Part II meeting held on 17th December 2018 were approved.

98. Nova House: Update on Progress and Facility for the Remedial Works Programme

The Cabinet agreed the financial implications of the remedial works to address the fire safety issues at Nova House.

Chair

(Note: The Meeting opened at 6.32 pm and closed at 7.49 pm)