

Date of issue: Friday, 9 December 2022

MEETING:	CABINET	
	Councillor Swindlehurst	Leader of the Council and Cabinet Member for Council Recovery, Forward Strategy & Economic Development
	Councillor Mann	Deputy Leader and Cabinet Member for Housing & Planning
	Councillor Ajajib	Customer Services, Procurement & Performance
	Councillor Akram	Leisure, Culture & Community Empowerment
	Councillor Anderson	Financial Oversight & Council Assets
	Councillor Bains	Public Protection, Regulation & Enforcement
	Councillor Hulme	Children's Services, Lifelong Learning & Skills
	Councillor Nazir	Transport & The Local Environment
	Councillor Pantelic	Social Care & Public Health
DATE AND TIME:	MONDAY, 19TH DECEMBER, 2022 AT 6.30 PM	
VENUE:	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL	
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE	07749 709 868

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.



STEPHEN BROWN
Chief Executive

AGENDA PART I

<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 9 and Appendix B of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.</i>		
2.	Minutes of the Meeting held on 21st November 2022	1 - 16	-
3.	ICT & Digital Update – Progress and next steps for the proper functioning of IT at SBC	17 - 32	All
4.	Approval of In-Year Change Request for Slough Children First Limited (SCF)	33 - 46	All
5.	Remodelling of Children Centres	To Follow	All
6.	Re-procurement of Adult Social Care Extra Care Contracts	47 - 64	All
7.	Department for Transport's Safer Roads Fund - approval for A4 scheme proposal	65 - 94	All
8.	Corporate Assets Facilities Management Services	95 - 106	All
9.	References from Overview & Scrutiny	To Follow	All
10.	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 and 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

11.	Approval of In-Year Change Request for Slough Children First Limited (SCF) - Appendices 1 and 4	107 - 118	-
12.	Re-procurement of Adult Social Care Extra Care Contracts - Appendices A and B	119 - 122	-

Press and Public

Attendance and accessibility: 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 any items in the Part II agenda are considered. For those hard of hearing an Induction Loop System is available in the Council Chamber.

Webcasting and recording: The public part of the meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The footage will remain on our website for 12 months. A copy of the recording will also be retained in accordance with the Council's data retention policy. 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.

In addition, the law allows members of the public to take photographs, film, audio-record or tweet the proceedings at public meetings. Anyone proposing to do so 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.

Emergency procedures: The fire alarm is a continuous siren. If the alarm sounds Immediately vacate the premises by the nearest available exit at either the front or rear of the Chamber and proceed to the assembly point: The pavement of the service road outside of Westminster House, 31 Windsor Road.

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Cabinet – Meeting held on Monday, 21st November, 2022.

Present:- Councillors Swindlehurst (Chair), Ajaib, Akram, Anderson, Hulme and Nazir

Also present under Rule 30:- Councillor Smith

Apologies for Absence:- Councillor Mann, Bains and Pantelic

PART 1

65. Declarations of Interest

Item 12: 'Housing Regulation Enforcement, Licensing and Civil Financial Penalties Polices', Councillor Swindlehurst declared that he had been appointed by the Council as a director of DISH.

Item 9: 'Recommissioning of Voluntary and Community Sector Contracts', Councillor Akram declared that she had been appointed by the Council to the Board of Slough CVS.

66. Minutes of the Meetings held on 17th October and 2nd November 2022

Resolved – That the minutes of the meetings held on 17th October 2022 and 2nd November 2022 be approved as a correct record.

67. Financial Action Plan Update

The Lead Member for Financial Oversight & Council Assets introduced the latest update on the Financial Action Plan that set out the work being undertaken to respond the Council's serious financial challenges and recommendations of external agencies. The Cabinet was being asked to recommend the latest update to Council on 22nd November 2022.

It was currently estimated that the overall capitalisation direction could be reduced from a potential total of £782m to £369m. This position had not changed since the previous report to Cabinet in September 2022 but would be revised for the budget reports in early 2023. The Cabinet noted the key assumptions and risks that underpinned the significantly reduced capitalisation direction. Continued delivery of the financial strategy of implementing savings plans and asset sales was the foundation of the Council's recovery and the Cabinet welcomed the progress that was being made on the asset disposal programme which was ahead of schedule. The proposed sale of the Akzo Nobel site would in itself make a particularly significant contribution to the programme.

In relation to savings for 2023/24, it was noted that the savings target was £23m of which £16m had been identified to date. These proposals would go

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through the scrutiny process in December 2022. The outcome of the Local Government Finance Settlement was awaited and it was noted that the impacts of the recent 'mini-budget' had caused significant uncertainty over interest rates and anticipated Government spending reductions.

The 2018/19 and 2019/20 accounts had been submitted to the auditors with 2020/21 expected in February 2023. It was recognised that extensive audit work was required. The restructure of the finance department was progressing well with advisements out for senior roles. The Cabinet also noted the good progress being made on contract management and procurement and responding to the historic backlog of internal audit recommendations.

The Cabinet agreed that overall the report demonstrated that good progress was being made and that the Council was ahead of schedule in some areas such as asset sales. However, it was recognised that the position remained very challenging and would require focus and commitment to deliver the financial strategy over the coming years. The financial monitor now included a breakdown of savings by Cabinet portfolio and the Leader stated that Lead Members should regularly follow up with their respective executive directors to ensure savings were being delivered.

At the conclusion of the discussion the report was noted and it was agreed to recommend it to Council.

Recommended –

That the progress and issues set out in the Financial Action Plan be noted and that the report be recommended to Council.

68. Financial Update Report – 2022/23

The Lead Member for Financial Oversight & Council Assets introduced a report that set out the forecast financial monitoring position as at the end of September 2022 for the 2022/23 financial year. The report covered revenue, including DSG and schools; Treasury Management, including asset sales and pensions; and the capital position for both General Fund and Housing Revenue Account.

It was noted that a fully balanced position was forecast for the General Fund in 2022/23, taking account of use of all capitalisation direction amendments. However, the Lead Member highlighted that there was an overspend of £7.3m across service areas, which included a shortfall in in-year savings of £4.3m against the £20m target, and the loss set out in the latest Slough Children First business plan of £5.2m. These issues were offset by various factors such as an improvement in the collection fund position, impact of capital receipts on MRP and a reduction in the use of capitalisation. Good progress continued to be made in addressing the deficit in the Dedicated Schools Grant.

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Lead Members discussed various aspects of the report including the importance of delivering savings proposals on time so the financial benefits could be achieved and to reduce revenue pressures next year. After due consideration, the report was noted.

Resolved – That it be noted:

- (a) That the 2022/23 forecast year-end position for the General Fund, taking account of use of all capitalisation direction amendments, was a fully balanced position. However, within this, there was an overspend of £7.322m across service areas, comprising a shortfall on in-year savings after mitigations of £4.309m against the total target of £19.958m, and including the loss set out in the latest SCF business plan of £5.175m. This was then balanced through an improvement in the collection fund position, the application of settlement monies received, the impact of capital receipts on MRP and a reduction in the use of capitalisation;
- (b) That the revenue budgets as presented in the report assumed that the virements as set out in Appendix E had been approved;
- (c) That the General Fund Capital Programme was forecasting an underspend of £0.700m at a spend of £27.955m;
- (d) That the HRA was forecasting a contribution to the HRA reserve of £1.827m, a £0.850m adverse variance against budget;
- (e) That the HRA Capital Programme was forecasting on budget at a spend of £10.720m;
- (f) That the DSG balance was forecast to be a cumulative deficit of £27.290m by the end of this financial year with plans to reduce the in-year movement to a balanced position by 2025/26;
- (g) That maintained schools were projecting a reduction in balances by 31 March 2023 from £9.555m to £5.465m, with 4 out of 16 schools expecting to be in deficit with an aggregate deficit of £0.647m.

69. Treasury Management Mid-Year Report

The Lead Member for Financial Oversight & Council Assets introduced a mid-year update report on treasury management.

The Council was required to prepare an interim and annual treasury management review and the report was an important part of ensuring transparency and informed decision making regarding the Council's borrowing and investment activity. The Treasury Management Strategy had been approved by Council on 10th March 2022.

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The Council's borrowing had reached £760m as at 31 March 2021, around 50% of which was short term temporary borrowing from other local authorities which exposed the Council to significant risks. The national economic outlook had deteriorated significantly since then but the Council's strategy was largely unchanged, which was to maximise asset sales to pay down debt and to convert short term debt to longer term debt where further borrowing was required. It was noted that the Council had liquidated its investments in pooled property funds earlier in the year and the proceeds had been used to support paying off temporary borrowing. The £10m investment had appreciated in value by more than £3m since 2015 but had been considered the right time to divest of the fund to reduce borrowing.

The Cabinet welcomed the comprehensive report and agreed the recommendations.

Resolved –

- (a) That the Treasury Management activities for the first half of 2022/23 as set out in the body of the report be noted.
- (b) That the revised treasury debt maturity profile limit indicator (para 2.63 of the report) be approved.
- (c) That the revised limits for investments and service loans (Appendix 2 to the report) be approved.

70. Improvement and Recovery Update

The Leader of the Council introduced a report on the progress made by the Council against each of the Secretary of State Directions issued in December 2021 and the overall Council recovery plan.

The report had been considered by the Overview & Scrutiny Committee on 17th November and the Cabinet was requested to recommend the update to Council.

The Leader summarised the areas where the Council had made good progress, such as the early stages of financial repair and the asset disposal strategy, and also the parts of the agreed corporate plan where progress needed to be accelerated. These included culture change and scrutiny improvements. Further work on the Council's future operating model would also be a key priority. The Best Value Commissioners would soon submit their one-year progress report to the Secretary of State.

The Cabinet and scrutiny would receive regular progress reports in the future on a quarterly basis, to be aligned to the Commissioners reporting periods. Lead Members were invited to agree any specific issues on which they would like to receive future reports and Cabinet agreed to receive a SEND update in December 2022 if possible to provide assurance that progress was being made in delivering the Written Statement of Action. Reports were requested

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on emergency planning arrangements in February 2023 and resident engagement and consultation before the end of the municipal year.

At the conclusion of the discussion the report was noted and it was agreed to recommend the update to Council on 22nd November 2022.

Resolved –

- (a) That the progress made by the Council in addressing the Directions of the Secretary of State be noted;
- (b) That it be agreed that the additional information or issues Cabinet would like to be cited on included a SEND update to Cabinet in December 2022; emergency planning update by February 2023; and resident engagement and consultation.
- (c) That the proposed next steps to deliver against the action plans and other workstreams that have been developed to address the Directions be agreed;
- (d) That further regular updates of progress be submitted on a quarterly basis, with exact timings dependent on the cycle of Commissioner's reports to Government;

Recommended –

- (e) That the update report be recommended to Council.

71. Public Interest Report - Disabled Facilities Grants

Cabinet received details of the report which set out the findings of the Local Government and Social Care Ombudsman (LGSCO) in relation to the Council's policies and procedures for determining and awarding disabled facilities grants.

It was noted that the complaint related to a delay of 12 months in the Council determining the resident's application for a disabled facilities grant (DFG). In addition, there was a failure to communicate clearly with the resident and the process for determining DFGs was set out in a policy and procedures which did not appear to have been approved at a member level.

Following consideration of the complaint, the LGSCO issued a Public Interest Report due to the significant fault and injustice caused to the complainant and a concern that there was a systemic problem with wider learning. The Council fully accepted the recommendations proposed by the LGSCO, as detailed in the report and measures that were being taken to implement them were outlined. Immediate lessons learned, included:

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- The Monitoring Officer to have oversight of all complaints to the LGSCO;
- A need for a enhanced reporting of complaints data;
- A need to ensure all new and amended policies are approved at elected member level;
- Consideration as to the role of scrutiny in reviewing the effectiveness of the complaints process;
- A need for a comprehensive performance management dataset to ensure effective management of performance against standards and targets;
- The need for effective partnership working.

Members accepted that the level of service provided had been inadequate and that it was essential that lessons were learnt and policies and procedures in place to avoid a similar situation in the future. The Leader of Council apologised on the behalf of the Council to the resident involved and to others waited longer than they should have for support.

The recommendations were then agreed.

Resolved –

- (a) That the Public Interest Report be noted;
- (b) That the lessons learned and actions to be taken in response be agreed;
- (c) That the Customer and Community Scrutiny Panel be recommended to include the public interest report in its planned review of the Council's complaints procedure against the LGSCO's best practice guidance and report back with recommendations.

72. Slough Housing Assistance Policy 2022-2027

The Executive Director People (Adults) introduced a report which sought approval of a revised Housing Assistance Policy (HAP) 2022-2027. The policy had been updated to ensure alignment with current national guidance, case law and legislation. It also addressed the recommendations set out within the report by the Local Government and Social Care Ombudsman investigation into a complaint about the Council as discussed on the previous agenda item.

The revised HAP 2022-27 included details of the Disabled Facilities Grant (DFG) options that an individual could receive. Approval and implementation of the policy would enable the Council to take advantage of additional flexibility in the use of the grant to support more individuals to maintain independence. This would be through implementing housing adaptations in a timely way, by streamlining processes and ensuring adequate staffing resource.

It was brought to Members attention that the new HAP would implement the latest national guidance for DFG including the definition of urgent and non-urgent cases to fairly manage waiting lists. Urgent cases would be prioritised, such as people being discharged from hospital, end of life cases, people who lived alone and were deemed a high risk. The policy would also move the threshold of the Major Equipment Grant from £5,000 to £10,000 which would improve the speed with which equipment such as stairlifts, specialist toilets and shower/bathroom adaptations could be installed without the means testing being required. This would decrease waiting lists and streamline services to enable individuals to live more independently at home.

Members discussed how the policy would apply to those in private sector housing or Housing Association properties and about the importance of improving customer services so there was good communication with applicants.

At the end of the discussion the recommendations were agreed.

Resolved – That the new Housing Assistance Policy 2022-2027, as at Appendix 1 to the report be approved.

73. Recommissioning of Voluntary and Community Sector Contracts

The Executive Director, People (Adults) introduced a report that sought approval to procure two new services for the delivery of voluntary and community sector service and advice and information services. They would replace existing provision when the current contracts expired in June 2023.

The contracts were for 3+1+1 years at a maximum value of £2,641,255 and was funded through the Better Care Fund and Public Health Grant. The contracts were subject to the continued availability of funding. The aim was to further strengthen the preventative offer and reduce demand for adult social care, introducing an integrated offer at the 'front door'. Approval was also sought to bring the Carers element of the service back in house.

Lead Members asked about various matters relating to the contract specification such as whether there would be an increase in capacity and local delivery. These issues would be considered during the current design phase.

At the conclusion of the discussion the recommendations were agreed.

Resolved –

- (a) That the procurement of a Voluntary and Community Sector Service for up to five years (three year contract plus two optional extensions of one year each, subject to satisfactory performance) from 1st July 2023 to 30th June 2028 be approved.

- (b) That the procurement of an Advice and Information Service for up to five years (three year contract plus two optional extensions of one year each, subject to satisfactory performance) from 1st July 2023 to 30th June 2028 be approved.
- (c) That the funding envelope for the two contracts to a maximum value of £2,641,255 over a five year period be approved.
- (d) That the transfer back in-house of the carers element of the current services at a cost of £65k per annum, with carers assessments and activities being undertaken by a Carers Co-ordinator be approved.
- (e) That delegated authority be given to the Executive Director for People (Adults), in consultation with the Lead Member for Social Care and Public Health, and the Director of Finance, to undertake the procurement process.
- (f) That the detailed performance information concerning current contracts be noted.
- (g) That it be noted that recommendations for contract award would be presented to Cabinet in Spring 2023, and that periodic updates concerning performance of the new voluntary and community sector contracts would be presented to Cabinet.

74. Re-procurement of an Integrated Substance Misuse Recovery and Treatment services including Rough Sleepers Outreach Service

The Executive Director, People (Adults) introduced a report thought sought approval to award contracts for the provision of:

- Integrated Adults and Young Peoples' Substance Misuse Treatment and Recovery service including Shared Care (5 years with an option to extend for 2 plus 2 years); and
- The Rough Sleepers Substance Misuse Community Outreach service (1 year for an option to extend for 1 year).

The Cabinet had approved the re-tendering of the contracts in July 2022. The details of the successful bidder and pricing information was set out in the exempt appendices. They were considered in the public part of the meeting without disclosing any of the exempt information. The services would ensure continuity of care for Slough residents to access drugs and alcohol provision so that a treatment and recovery service could continue to be offered.

Lead Members asked about the monitoring arrangements for the contract, key performance indicators and the reasons for the long length of contract for the integrated adults and children service. The Executive Director responded to these points and stated that the length of contract was not abnormal for these types of service and provided assurance that performance would be robustly managed.

After due consideration the recommendations were agreed.

Resolved –

- (a) That the award of contract(s) with supplier A for the delivery of two services be agreed:

Service 1: The Integrated Adults and Young Peoples' Substance Misuse Treatment Services which will be for a 9-year period (five-years plus two extension periods of two years, subject to satisfactory performance.) This service will operate from 1st April 2023 and will be funded through the Public Health Grant, the Supplementary Substance Misuse Treatment and Recovery Grant and the Rough Sleepers Initiative Grant. The total value of this service for the first five years is £ 6,394,360. Thereafter, any extensions will be dependent upon the overall value of the Public Health grant thus renegotiations may be necessary.

Service 2: The Rough Sleepers' Substance Misuse Outreach service for 2 years (1 year plus a 1 year extension, subject to continuation of grant funding and good performance). The new contract will commence 1st April 2023. This will be funded through the OHID Rough Sleepers Drug Treatment & Recovery grant ([Office for Health Improvement and Disparities](#)) at a total value of £619,034.

- (b) That delegated authority be given to the Executive Director for People (Adults) in consultation with the Lead Member for Public Health and Social Care to complete the final negotiations and enter into the contract(s) with Supplier A.
- (c) That the grant of a lease and any supplemental document(s) of Elliman Resource Unit 27 Pursers Court Slough SL2 5DL to Supplier A for a minimum term of 5 years commencing 1 April 2023 at nil rent be approved. This was an exceptional arrangement and should not be utilised in the future.
- (d) That delegated authority be given to the Executive Director of Resources and Executive Director of Property and Housing to finalise terms and execute the lease and supplemental documentation of the above property to Supplier A.

75. Re-procurement of Adult Social Care Domiciliary Care Contracts (Tranche 2)

The Executive Director, People (Adults) introduced a report that sought approval to award contracts to 12 suppliers of domiciliary care which had been tendered by competitive process via the Council's adult social care dynamic purchasing system. This was to ensure a sufficiency of supply once the tranche of existing contracts expired in December 2022.

The Cabinet noted the exempt appendices during Part I of the meeting without disclosing any of the exempt information.

There was strong domiciliary care market in Slough and the procurement process was explained. The work that had been taken to engage providers throughout the process to encourage bidders was noted. Lead Members discussed the cost of care, payments for travel time and various other operational elements of the contracts.

The recommendations were agreed.

Resolved –

- (a) That the award of contracts to 12 suppliers for the provision of domiciliary care be agreed. This would be to suppliers 3, 4, 5, 7, 8, 9, 12, 13, 14, 16, 18, and 21 as contained at Exempt Appendix 1 the following suppliers.
- (b) That the issuing of contract extensions and variations to existing tranche 2 suppliers, who did not bid for a new contract for a six month period until 21 May 2023 be agreed. This would enable suppliers to continue to work with up to 177 service users, but not to take on new referrals, whilst alternatives arrangements were put in place.
- (c) That the re-tendering of tranche 3 contracts for domiciliary care and related unregulated support services, when contracts expire in 2023 be agreed. This would be using the same process as for tranche 1 and tranche 2 contracts and would include support services contracts as a separate lot.
- (d) That delegated authority be given to the Executive Director for People (Adults) in consultation with the Lead Member for Public Health and Social Care to enter into the tranche 2 contracts, and retender the tranche 3 contracts for domiciliary care.

76. Housing Regulation Enforcement, Licensing and Civil Financial Penalties Policies

The Executive Director, Place & Communities introduced a report that sought approval of three policy documents relating to the regulation of private sector housing in Slough:

- Housing Regulation Enforcement Policy;
- Revised Protocol for Civil Financial Penalties;
- Licensing Decisions Policy.

The Council's existing overarching enforcement policy set out the general principles for enforcement and regulation, and the new policies aimed to ensure enforcement decisions were transparent, took account of legislative

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changes and learned lessons from practice in Slough. The key aspects of the proposed policies were summarised.

The Cabinet welcomed the new policies and discussed the Council's approach to enforcement and licensing. Lead Members considered the impacts on communities in areas where there were high concentrations of HMOs and the mechanism for residents to report issues. The Housing Regulation Manager explained that the Council could not restrict the number of HMOs through the licensing process and the priority for the policy approach was to support a safe and well managed private rented sector. There was a discussion about anti-social behaviour and nuisance issues in areas with HMOs. After discussion, the Cabinet agreed to request the Customer & Community Scrutiny Panel to include in its work programme a piece of work to explore the wider issues such as anti-social behaviour, fly-tipping and streetscene impacts in areas with high concentrations of HMOs, and the joint-up working between Council departments such as housing regulation and planning.

It was also noted that the information relating to housing and property licensing were on different parts of the Council website and officers were asked to review the information, links and other communications to improve the clarity of information to residents for reporting information and to the public register of licensed properties.

At the conclusion of the discussion the recommendations were approved.

Resolved –

- (a) That the Housing Regulation Enforcement Policy, Licensing Decisions Policy and Revised Policy and Protocol for Issuing Civil Financial Penalties under the Housing and Planning Act 2016 (Appendix A, B and C) be approved.
- (b) That delegated authority be given to make minor amendments to the policies, to the Executive Director for Place and Communities, following consultation with the Lead Member for Housing.
- (c) That Cabinet request the Customer & Community Scrutiny Panel to consider a piece of work to look into the wider community and streetscene issues in places where there was a significant number of HMOs.
- (d) That Officers review the Council website to seek to improve the clarity of information for reporting housing regulation and licensing issues.

77. Smart, Sponge Catchments Project

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The Lead Member for Transport and The Local Environment introduced a report that set out the partnership approach and procurement strategy for the Smart, Sponge Catchments Project which was a capital grant funded flood resilience project in the Chalvey Ditches and Salt Hill Stream Catchments.

It was noted that traditional flood risk solutions were noted appropriate for these catchments and the project would work with partners and communities to install sustainable drainage and natural management methods. The partners were Buckinghamshire Council, Wildfowl & Wetlands Trust, National Flood Forum, Thames Water Utilities, Thames 21 and the regional Environment Agency. The Council had been awarded between £5.65m - £7.9m from central government for the scheme and approval of the recommendations would enable the Council to progress the scheme, subject to Outline and Full Business Case Approval.

The Cabinet welcomed the project and approved the recommendations.

Resolved –

- (a) Agreed to continuance of the project (subject to grant funding) with the Council as Lead Authority for project management, noting in particular the partnership approach, the proposed procurement strategy and governance arrangements;
- (b) That delegated authority be given to the Executive Director – Place and Communities, in consultation with the Lead Member for Transport & The Local Environment to:
 - i. Enter into the grant agreements with Wildfowl & Wetlands Trust (WWT) and National Flood Forum (NFF);
 - ii. Approve extensions and variations to the grant agreements to WWT and NFF, subject to available grant funding, for the life of the project through to April 2027, encompassing extensions for 2023/24, 2024/25, 2025/26 and 2026/7 financial years.
- (c) That delegated authority be given to the Executive Director – Place and Communities, in consultation with the Lead Member for Transport & The Local Environment to commence the process for commissioning technical consultancy and smart technology services for the project, to have oversight of the procurement process and to:
 - i. Approve the procurement and award of contract of technical consultancy services to complete hydraulic modelling of options, assessments, and conceptual design to an expected maximum value of £106,000;
 - ii. Approve the procurement and award of contract of technical consultancy services to inform and prepare the Full Business Case to an expected maximum value of £455,000;
 - iii. Approve the procurement and award of contract of smart technology services to inform the Full Business Case, including the proof of

concept, sensor trials and development of a data sharing platform, to an expected maximum value of £92,800; and

- iv. Approve the procurement of smart technology services to operate and evaluate sensor monitoring and the data platform to an expected maximum value of £511,500 to cover the period to 31st March 2027 and to note that the Executive Director will report to Cabinet for recommendation of award of contract where the contract value exceeds £500,000.

- (d) Approved the Executive Director - Place and Communities as project sponsor and delegate responsibility to maintain and update the Governance Strategy for the project.

78. Recommendations from Cabinet Committee on Asset Disposals

Prior to consideration of the reports, the Leader sought approval of the Cabinet to extend the meeting beyond the two and a half hours prescribed in the Executive Procedure Rules.

Resolved – That the meeting be extended beyond two and a half hours and to continue in the normal manner and complete the business remaining on the agenda as set out under paragraph 2.8 (i) (a) of the Executive Procedure Rules.

The recommendations of the Cabinet Committee for Asset Disposals from its meeting on 17th November 2022 were considered relating to:

- The re-appointment of Avison Young for Phase 2 of the programme; and
- The disposal of Lavender Farm.

The Cabinet considered and noted the Part II appendices to both reports in the public part of the meeting without disclosing any of the exempt information. The Committee had recommended that Cabinet approve the re-appointment of Avison Young and the disposal of Lavender Farm.

Councillor Smith had been given access to the exempt information and commented that whilst he was satisfied from the information provided that the disposal of Lavender represented best value, it would be useful if all future disposal reports could include site maps so Members could be clear of the property and assets being disposed of. In the case of Lavender Farm the Leader explained the extent of the land being disposed of and Officers were asked to provide maps in future reports.

Resolved –

- (a) Avison Young Appointment to support the Asset Disposals Programme

That the appointment of Avison Young to support the implementation of the Asset Disposal Strategy for the period 2022 to 2027 be approved, and that delegated authority be given to the Executive Director of Housing and Property, in consultation with the S151 officer, and subject to legal advice, to enter into contract with Avison Young for property asset disposal related support services, at an estimated cost of £3.020m, which would be met from the capital receipts generated from asset disposals.

(b) Disposal of Council Asset – Lavender Farm

That the disposal of Lavender Farm be agreed and that delegated authority be given to the Executive Director of Property and Housing, in consultation with the Lead Member for Financial Oversight and Council Assets and the Executive Director of Finance and Commercial, to negotiate the terms of and enter into the contract and other legal documentation in connection with the disposal subject to the terms being consistent with the Heads of Terms appended at Confidential Appendix 3 and the information provided within this report.

79. References from Overview & Scrutiny

There were no references from Overview & Scrutiny.

80. Exclusion of Press and Public

All business was conducted in public without disclosing any exempt information and it was not therefore required to exclude the press and public.

81. Part II Minutes of the Special Cabinet meeting held on 2nd November 2022

Resolved – That the minutes of the Part II meeting of the Special Cabinet held on 2nd November 2022 be approved as a correct record.

82. Re - procurement of an Integrated Substance Misuse Recovery and Treatment services including Rough Sleepers Outreach Service - Appendices 1 and 2

Resolved – That the Part II appendices be noted.

83. Re-procurement of Adult Social Care Domiciliary Care Contracts (Tranche 2) - Appendices 1-4

Resolved – That the Part II appendices be noted.

84. Recommendations from the Cabinet Committee for Asset Disposals - Appendices

Resolved – That the Part II appendices be noted.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 9.03 pm)

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Slough Borough Council

Report To:	Cabinet
Date:	19 th December 2022
Subject:	ICT & Digital Update – Progress and next steps for the proper functioning of IT at Slough BC
Lead Member:	Cllr Zaffar Ajaib
Chief Officer:	Stephen Brown, CEO
Contact Officer:	Simon Sharkey Woods, AD Chief Digital & Information Officer
Ward(s):	ALL
Key Decision:	NO
Exempt:	NO
Decision Subject To Call In:	NO
Appendices:	Appendix A – ICT & Digital Team structure as at 31st August 2022 Appendix B – Risk

1. Summary and Recommendations**Summary:**

- 1.1. This report provides an update on the progress of the ICT & Digital modernisation and remediation work approved by Cabinet on the 29th March 2022.
- 1.2. The report also provides details of the new structure and operating model that has been established for the delivery and management of technology services, and how it will support continual improvement as the Council moves forward on recovery.
- 1.3. The report also explains the next steps and approach to a fully documented adaptive strategy that will describe the future, sustainable state for technology and digital services.

Recommendations:

Cabinet is recommended to:

- 1.4. Note the update to the modernisation and remediation activities being undertaken by the ICT & Digital Team and understand the ongoing risks, issues and challenges as the work continues.
- 1.5. Note the next steps on the journey to the proper functioning of IT, underpinned by an adaptive strategy that has a focus on appropriate levels of capacity and capability.

Reason:

- 1.6. Whilst this is a noting report, rather than seeking a decision, the modernisation of ICT and Digital is critical to the Council's improvement journey, and it is right to provide elected members with regular updates on progress to ensure proper challenge and pace is in place.

Commissioner Review:

- 1.7. Commissioners welcome this report. It is the first comprehensive document considered by Cabinet in response to this part of the Directions. In a more detailed form setting out resourcing and key accountabilities, it can now be reported to the Improvement and Recovery Board to gain Commissioner approval as required by the Direction regime and its implementation monitored in future reports.

2. Report**Introduction**

- 2.1. The directions issued on the 1st December 2021 to Slough under Section 15(5) and (6) of the Local Government Act 1999 stated the need for "An action plan to achieve improvements in relation to the proper functioning of the Authority's IT." The IT Team created a plan and request for investment that was informed by the ICT Health Check in October 2020 and from the LGA Peer Review in December 2021. This was presented and approved by Cabinet on the 29th March 2022.
- 2.2. In the seven months since the plan was approved, the team has been simultaneously building the capacity and capability to undertake the complex works required, whilst actively resolving many of the most serious issues identified.

Options considered

- 2.3. In terms of the options for remediating the issues across the technology infrastructure at Slough BC, this has been driven by risk and the potential for positive impact for the Council. Much of the focus has been on rectifying defects that prevent service failures and data loss, either because of cyber security issues or major infrastructure defects.
- 2.4. Where there has been the opportunity to modernise or improve specific services without impacting the ability to resolve critical issues, these have been progressed and examples are provided later in the update section of this report.
- 2.5. In terms of the options for resourcing the work, the restructure of the ICT & Digital Team was prioritised since the last Cabinet report and has been completed. As stated in the report in March, although we will put a package together that includes personal development and an opportunity to be involved in significant change, the current market conditions for permanent staff will mean that we are managing resource in a hybrid way with a mix of permanent staff, contract interims, and occasional use of third-party specialists.

Background

- 2.6. The findings from the ICT Health Check in October 2020 and the LGA Peer Review in December 2021 initiated the planning that ultimately led to the presentation of a plan and investment request that was presented to Cabinet in March 2022.

- 2.7. Cabinet approved the proposed programme of work for remediation and modernisation. The team has been focused on this as a priority ever since. The ICT programme of work covered four themes:
- cloud migration for line of business applications – moving on premises applications to cloud services, providing greater resilience, reducing cost and increasing flexibility;
 - cyber security and resilience – addressing concerns of the council’s cyber security capability and improving disaster recovery and back-up resource;
 - end use compute – improving ICT service and access to applications for staff; and,
 - upgrading ICT infrastructure – replacing end of life and unsupported infrastructure with new equipment or services.
- 2.8. As work commenced following the approval from Cabinet, the ICT & Digital Team established increasingly robust controls to ensure that the priority of work was managed appropriately and linked to areas identified as having the greatest risk to the Council. A portfolio approach was taken for the ICT programme, and the programme delivery lead has been evolving this approach over the past seven months. The approach is now the core of a monthly service report produced by the team that is shared with senior stakeholders and the lead member for ICT & Digital. This reporting is being continually improved and is providing appropriate oversight for stakeholders.
- 2.9. The programme the team established is made up of 40 projects, and it was recognised that this level of project delivery would take at least two years, with a plan to deliver most of the projects in the first year. The breakdown of projects can be seen below:

Theme	Planned projects	Complete	Delivery 2022/23	Delivery 2023/24
Cloud migration of line of business applications	12	4	6	1
Cyber security and resilience	10	0	8	2
End use compute	9	2	5	0
Replacing aged infrastructure	9	1	6	1
Total	40	7	25	4

Difference between planned and the current status:

1. Two projects have not started, delivery dates to be confirmed.
2. One project is currently being scoped for delivery.
3. One project is likely to be cancelled.

- 2.10. Whilst focusing on remediation the team has also had to contend with several major contracts reaching end-of-life. The effort to reprocur contracts compliantly has been significant although it has provided several opportunities to consolidate what the Council uses and has led to some major savings or cost avoidance.

- 2.11. In the seven months since the original Cabinet report in March, the ICT & Digital team has also been through a full restructure consultation. Although it was challenging to undertake this whilst managing core services and remediating core infrastructure, the need to establish a model of operation for the future was understood to be an important priority. The restructure resolved long standing issues linked to staff being on legacy contracts linked to the previous outsourced transactional services arrangement, and the arms-length management organisation (ALMO). The team worked closely with HR and the unions through the process and is currently seeking to recruit to some of the vacant roles resulting from the process
- 2.12. Although significant progress has been made in several areas the pace of change predicted in March has not been achieved. As well as the issues already stated, the ability to recruit skilled interim resource has been a limiting factor and remains a key challenge to manage for the foreseeable future. Although essential given the Council's current financial position, following the robust internal controls that have been required over the past year and undertaking legal and fully compliant procurement processes has also taken significant time. It has also been necessary to carefully manage the level of concurrent change so that the work being done did not impact live services across the Council.

3. Update

- 3.1. Although work has not been at the pace envisaged at the start, significant progress has been made against the plans to modernise and remediate the technology infrastructure at Slough BC.
- 3.2. The proposed restructure of the department, now called ICT & Digital to reflect the full remit of the team, has been completed. The final structure, as it was at the end of the consultation, can be seen in Appendix A. Several changes were made during the consultation process because of good logical feedback by team members. The structure is not static and new requirements, the changing skills market, and the technology choices the Council makes, will mean it will inevitably be modified further over time. However, a large consultation process should not be required again for the foreseeable future. During the restructure there was some movement of staff between departments. This could happen again as we continually improve and establish increasingly efficient ways of operating, especially in respect of coherent digital services. We may also need to consider new, specialist roles that will support us as we undertake service design.
- 3.3. The team is now led by a Chief Digital & Information Officer (CDIO) who is at the level of Associate Director (AD). This change of level took place in August, and it is the first time a technology specialist has been part of the Council's senior leadership team. The role recognises the impact that technology services will have on the recovery as well as the effective delivery of services into the future.
- 3.4. The Council has now also joined SOCITM, the Society for Innovation, Technology and Modernisation. Being able to connect with other members, especially local government ones, has enabled Slough to begin learning from good practice and to benchmark our services against other organisations.
- 3.5. The Department of Levelling Up, Housing and Communities (DLUHC) cyber security review identified 33 issues to be addressed. Although challenging due to the amount of work that is dependent on other projects and replacement infrastructure, a great deal has been done to improve the strength of our cyber defences since the Cabinet report in March. At the time of this report the current position is:

Status	Number
Issues that have been agreed as complete (resolved)	27.33% (9)
Issues that are considered to require no further support from DLUHC (to be addressed by already planned work)	51.33% (17)
Issues still requiring support	21.33% (7)

3.6. The status of the individual streams of work within the ICT programme, as outlined in 2.7 and 2.9 above, can be seen below:

Cloud migration for line of business applications

3.7. The council is working to a 'cloud-first' approach for the hosting of council applications. (This means we are seeking to use internet-based services rather than build and/or host our own services locally). This allows the council to reduce its ICT infrastructure overhead, reduce some costs over time, and provide a more flexible approach to licencing as the council resets its operating model, the locations it works from, and how it supports its workforce.

3.8. Typically, on-premises applications will be considered for cloud migration on the anniversary of contracts expiring. Noted below are the projects currently in scope.

Project Title	Status	Delivery Date	Comment
*Northgate Housing	In delivery	Dec '22	Migration of the council's housing management system to the cloud
Paygate Upgrade	Complete	-	Upgrade and migration to a cloud service for the council's direct debit service
Modern.gov	Complete	-	Migration of the council's democratic services application to the cloud
Academy (Revs and Bens)	In delivery	Jan '23	Migration of the council's revenues and benefits case management system to the cloud
Flare	In delivery	Sep '23	Implementation of a new case management system for regulatory services
Capita 1 Education	Complete	-	Migration of the council's children early years application to the cloud
APAS	In delivery	Nov '22	Migration of the council's planning application to the cloud
ITSM	In delivery	Mar '23	Phase one Implementation of an IT service management application – case management and customer portal.
EDMS	In delivery	Mar '23	Implementation of a council wide electronic document management system

Agresso finance system	In delivery	Dec '22	Migration & ongoing service management of the council's finance system to a new supplier (Cloud Hosted)
Icon (Chip and Pin)	Complete	-	Upgrade of the council's Chip and Pin devices
Liquid Logic (Adult social care)	Being scoped for delivery	TBC	Migration to the cloud of the council's Adult Social Care system, Children's Social Care & Early Help applications.

*This project is managed externally to the ICT and Digital team with an external project manager leading on behalf of the directorates using the platform.

Cyber security and resilience

- 3.9. The Department of Levelling Up, Homes and Communities (DLUHC) undertook a review of the council's cyber security and resilience. As mentioned in 3.4 above, the cyber treatment plan identified 33 recommendations. These have been packaged into a set of ten projects.
- 3.10. DLUHC has supported this work through providing restricted funding of £200,000 to support the delivery of change.
- 3.11. The ICT and Digital team have attended technical webinars hosted by the DLUHC relating to the technology areas in the cyber treatment plan and have recently conducted the 2nd quarterly check-in with the DLUHC team to review our progress.
- 3.12. Slough BC are also now members of SEGWARP, the Southeast employers Warning Advisory and Reporting Point which meets monthly and shares cyber intelligence on an online collaboration platform.
- 3.13. The council lacks deep in-house experience to deliver much of the cyber improvement work required. To bridge this gap, the council has recruited an interim cyber security officer and is finalising the award of a contract with an experienced cyber security consultancy to support the council in delivering the ten projects in the table below.
- 3.14. The ICT and Digital team were successful in being awarded funding for two members of the team to attend industry recognised training in cyber security that will help the team become less reliant on external support in the future.

Project Title	Status	Delivery Date	Comment
Back-up	In delivery	Sep '23	Implementing a cloud-based back-up solution for the council's applications and data
Security incident and event monitoring (SIEM)	In delivery	Mar '23	Implement a SIEM tool to log and monitor traffic on the council's networks and devices
Active Directory	Not started	Mar '23	Implementing additional controls and security policies on the council's Active Directory

Project Title	Status	Delivery Date	Comment
Legacy operating systems	Not started	Sep '23	Replacing legacy operating systems which are out of date and unsecure
NCSC services	In delivery	Dec '22	Implementing a range of free NCSC provided IT services for network and email security
Multi factor authentication (MFA)	Not started	Dec '22	Implementing MFA across council devices.
IT health checks	In delivery	Nov '23	Undertaking regular IT health checks on the council's networks.
Ransomware	In delivery	Jan '23	Implementation of a ransomware file encryption protection solution
Cyber reporting	Not started	TBC	Implementing a range of cyber reporting on the council's cyber security and resilience
PSN/DWP re-certification	Not started	TBC	Preparing for the submission of the council's PSN certification

The dates listed on this theme are likely to change as the contract for consultancy support is proving to be a difficult procurement to achieve compliantly. The ICT & Digital Team will continue to collaborate with procurement colleagues, improve the visibility of the overall pipeline of work to create a common understanding of priorities, and support the use of additional third-party support when required. This will mitigate some of the current issues linked to the pace of managing compliant procurement practice.

End use compute

- 3.15. The end use compute theme is geared to making it easier for residents to transact with the council online, and for staff to be able to access applications remotely and securely through managed devices.

Project Title	Status	Delivery Date	Comment
Scan Station	In delivery	Nov '22	Updating resident self-service document scan stations
Corporate and contact centre telephony	In delivery	Feb '23	Migration to a new service provider for corporate and contact centre telephony services
*Agresso Unit 4 support	On hold	TBC	Knowledge management for Agresso support
Laptop AutoPilot	In delivery	Jan '23	Automating process of building staff user profiles onto new laptops
Always on VPN	In delivery	Jan '23	Improving remote access over VPN for staff

Project Title	Status	Delivery Date	Comment
InTune mobile device management	In delivery	Dec '22	Implementing new approach to managing council devices remotely
Anti-virus	Not started	TBC	Implementing a new anti-virus solution
4g coverage	Complete	-	Improving mobile connectivity in Observatory House
Office 365 Rollout	Complete	-	Migration of all users to a cloud-based Microsoft exchange email service and Teams collaboration platform, enabling us to retire a separate conferencing technology (Bluejeans)

* As the Council has moved to a new service provider this project is no longer required in its original form and will be cancelled.

Upgrading ICT infrastructure

- 3.16. The council's infrastructure is aged, end of life and has lacked investment. This has limited the council in the way in which it can react to providing more services remotely to staff working securely from home.

Project Title	Status	Delivery Date	Comment
Disk storage replacement	In delivery	Dec '22	Replacement of the council's storage area network equipment.
Core switch migration	In delivery	Mar '23	Upgrade and replacement of the core switch
FS Logix (Citrix)	In delivery	Mar '23	
Firewall upgrade	Complete	-	Upgrade of the council's firewall
Wi-Fi	In delivery	Mar '23	Review and upgrading of the council's Wi-Fi service within Observatory House
Data centre relocation	In delivery	Jan '23	Relocating the council's data centre to a central government, highly available and flexible location
Disaster recovery as a service	In delivery	Feb '23	Procurement and implementation of a cloud disaster recovery service
Office 365 Phase 2	Being scoped for delivery	Jun '23	Maximising the use of online collaboration and productivity tools available from Office 365
Cloud assessment	Not started	TBC	Identify the potential for more efficient hosting options for

Project Title	Status	Delivery Date	Comment
			applications used across the council

Next steps

- 3.17. The ICT & Digital Team will continue to concurrently work on reshaping the processes, capability and capacity of the team whilst undertaking the modernisation and remediation work required to achieve the proper functioning of IT. The pace of this work will be dependent on various issues, including the ability to navigate all required governance, tolerance for risk, and our success in acquiring the capacity and skills in the team to progress the work.
- 3.18. There is an estimated underspend of around £1.5m against the investment in 2022/23 due to delays in the planned work. The ICT & Digital Team will liaise with the Finance Team through the budget process to establish whether the council is able to advise Members that they can consider carrying this underspend forward into 2023/24 in order to assure the delivery of the full programme. Lived experience from the past seven months suggests that on top of the issues already outlined, this figure may change due to unexpected events, and changing priorities. We will monitor progress and continue to update our finance colleagues and the lead member for ICT & Digital through our monthly service reporting.
- 3.19. The ICT & Digital Team has recently engaged with the newly formed corporate PMO function and will ensure a robust alignment between the work of the team and the priorities of the wider organisation. The AD Transformation and AD CDIO meet regularly in various forums and on a 1-to-1 basis. This will continue to happen to ensure priorities are aligned and clear.
- 3.20. The ICT & Digital Team will also continue to actively support the work to review, consolidate, and reduce contracts in place across the Council. We have already had successes with contracts we have ceased over the past seven months and all opportunities to do more will be considered. The opportunities will be assessed fully, have appropriate oversight, and decisions made based on risk and operational impact before being taken.
- 3.21. The AD CDIO will also be working on a new, adaptive strategy for technology services at Slough BC that helps all stakeholders understand the new vision for a sustainable delivery that can support the future operating model of the Council.

An Adaptive Strategy for the future of Technology Services

- 3.22. The initial thinking for the future adaptive strategy for ICT & Digital services has, at the time of writing of this report, commenced and is being debated. The reason an adaptive strategy is being considered is due to the amount of concurrent change across the Council as well as across the technology industry. In an adaptive strategy the fixed points are our organisational vision (what the future version of our Council is) and our purpose (why we work, and why it matters, primarily linked to our residents). As the whole organisation is involved in the definition of our vision and purpose, technology services will therefore be aligned to corporate endeavour.
- 3.23. Although it will support the strategy, the portfolio of technology projects being undertaken will run alongside of it and will not be defined within it. The strategy is in place to define the way we will be able to accept and welcome change to what we are doing as an opportunity to increase value and continually improve. We will

have an approach for the coming years that expects our strategic themes to change in focus, size, significance, and priority.

- 3.24. From the strategy, broad strategic themes emerge, not only from the direction set to serve residents, members, and stakeholders, but also from our experience of moving forward with the work being undertaken. This final element is one of the key reasons why the new approach for ICT & Digital services needs to be adaptive and not fixed.
- 3.25. One of the key themes expected to be at the heart of the new approach is the way the Council builds its digital access to the services it provides to both its residents and its staff. This will build on the discussion paper created by the AD CDIO that has been shared with senior staff and the lead member for ICT & Digital. Improving the user experience at the point of access both externally on our website (accessible on all devices), and internally via our intranet and other platforms, will be a priority.
- 3.26. Other key elements being considered within the strategy are listed below:
- A set of core principles will be established that clearly define the Council’s approach to digital or technology services in the future.
 - The establishment of governance for all technology and digital services in one place so that the totality of all the ICT & Digital services used across the Council is managed coherently.
 - An approach to developing an intelligent council that is both customer centric and supports the rewiring of public services so that they can be delivered in new ways.
 - A commitment to comply with recognised practice for IT service management, procurement, and financial control.
 - Return-on-investment and cost-benefit-analysis for technology and digital services will always be assessed against resident value and impact.
 - Increasingly robust alignment between digital and technology work and the priorities guided by the Council, especially the corporate PMO.
 - Establishment of a fully risk-based approach to cyber security that invests to a level that is appropriate to the threats the organisation has.
 - Increased support for data and analytics to help Slough become a data driven organisation.
 - Maintaining our commitment to being a platform based organisation (predominantly Microsoft) and seeking to use public Cloud services where possible to lower the need for expensive infrastructure.
 - Establishing a sustainable and realistic resourcing model.

4. Implications of the recommendation

Financial Implications

- 4.1. The current spend on the modernisation programme is noted below:

Activity	Budget 22/23 (£000’s)	Forecast (£000’s)	Spend to date (£000’s)	Variance (£000’s)

Cloud migrations for business applications	330	255	135	75
IT resources for modernisation programme	1,422	904	437	518
Cyber reporting	40	0	0	40
Commission Wide Area Network (WAN)	125	100	0	25
New backup solution	75	75	2	0
Mobile Device Management (MDM)	80	7	0	73
New telephony replacement	350	160	0	190
Aged Infrastructure Replacement	700	125	3	575
Disk storage replacement	0	205	205	-205
Autopilot laptop build	20	5	3	15
Replace remote and secure access method	140	0	0	140
Cyber detection tools	125	0	0	125
Upgrade IT service management	100	20	0	80
Ransomware	0	87	87	-87
Cloud disaster recovery (DRaaS)	0	106	1	-106
Total	3,507	2,049	873	1,458

- 4.2. The spend profile for the programme is slower than predicted. The anticipated underspend (£1.458m in the table above) will therefore need to be potentially requested and considered as part of the budget finalisation for rolling into financial year 2023/24 as a number of projects are delayed and will continue to need financial support into Q1 and Q2 of 2023/24 so that they can be completed.

Issues

Impact of increased governance

- 4.3. Slough BC is in an exceptional financial situation and there has been strict governance mandated to support effective oversight and scrutiny of decisions. The time that it can take to complete governance processes is therefore longer. Some planned timelines for the delivery of projects have changed, generally with them being pushed back. The team is however improving its estimation of delivery dates as a result of the learning to-date.
- 4.4. Delays in decision making and appointing new suppliers can adversely impact on the council's ability to move to the new service, which can lead to the risk of loss of critical services, or the need to extend expensive existing services.

Achieving best value through procurement

- 4.5. For every procurement that the council undertakes we want to achieve best value for the council. Best value is not measured solely on the cheapest available, but also on the best decision for the long-term future of sustainable services at the Council.
- 4.6. The specification of technology contracts needs to be very specific, clearly defined and take account of emerging technology. Within the Council there are few staff members with the necessary technical and commercial experience to prepare good specifications for tender documents. This limits the pace of work each time we need to develop invitation to tender (ITT) documentation.

- 4.7. The ICT & Digital Team is in routine contact with the Procurement and Commercial Team and will continue to seek ways to plug the gaps in resource to achieve successful outcomes. This may include supporting the costs of additional third-party resource to support the team.

Legal Implications

- 4.8. On 1 December 2021 the Secretary of State for Levelling Up, Housing and Communities made statutory directions requiring the Council to take prescribed actions and that certain functions be exercised from this date by appointed Commissioners, acting jointly or severally. The directions were extended on 1 September 2022. The directions were made under Part 1 of the Local Government Act 1999 due to the Council having failed to comply with its best value duty. The general duty of best value is set out in section 3 of the Local Government Act 1999 and requires local authorities to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”. This requires consideration of overall value, including economic, environmental and social value, when reviewing service provision. There is also a duty to consult when deciding how to fulfil the best value duty.
- 4.9. Annex A of the directions set out the action the Council is required to take. This included a requirement for an improvement plan incorporating an action plan to achieve improvements in relation to the proper functioning of the Authority’s IT. This report presents an update against that action plan. The effective use of technology is a key part of achieving best value as it can be utilised to reduce staffing resources and to simplify processes in relation to service delivery. Legal implications continue to be addressed as part of the individual business cases and procurements to support the three-year remedial and modernisation programme.
- 4.10. Legal implications continue to be addressed as part of the individual business cases and procurements to support the three-year remedial and modernisation programme.

Risk Management Implications

- 4.11. A more detailed breakdown of the key risks and mitigations can be seen in the table in Appendix B.
- 4.12. The overarching risk linked to this report is clearly that the delays to the plan of remediation works means that the Council is living with a higher level of risk linked to service failures and data loss for longer than planned. The mitigation to this is that the team will continue to prioritise what it believes will have the greatest impact on the improvements required.
- 4.13. The key risks are:
- a) There is a risk, linked to the impending local government financial settlement and the progress being made to deliver asset sales and revenue savings, that the full financial support to remediate and modernise ICT & Digital services at the Council is not available.

- b) There is a risk that the ICT & Digital Team struggles to maintain the required skills and capabilities within the team to maintain services and the pace of project works.
- c) There is a risk that due to pressures across the Council, establishing the governance to gain holistic oversight of all ICT & Digital services is challenging.

Environmental Implications

- 4.14. The work being undertaken will allow the Council to continually improve the way it functions, thus helping to support its environmental aspirations. For instance, the work will:
- Support the future operating model of the Council which will include hybrid working that will reduce day to day travel for staff and therefore reduce their environmental impact.
 - The ambition to utilise more public cloud services will mean that the net carbon impact of what we use will be reduced as we will be combining our consumption with others instead of building separate infrastructure.
 - Support the increasing use of data to analyse the way we operate so that we can identify increasingly efficient ways to serve residents.

Equality Implications

- 4.15. The Council has duties under the Equality Act 2010 and will ensure it properly assesses the equality implications of each programmed activity of the improvement plan.
- 4.16. Having better ICT functionality and systems will enable the Council to collect and analyse data, which will support its understanding of impact on protected groups.
- 4.17. Failure to ensure effective ICT systems, including failure to prevent a cyber-attack or having in place effective disaster recovery system, places a significant risk on services, which will particularly impact on those groups who have a need for such services, including vulnerable children and young people, older persons, persons with disabilities and groups on low incomes applying for financial or other support.
- 4.18. Modern ICT & Digital infrastructure will also enable staff to better access Council services, including those with protected characteristics.

Procurement Implications

- 4.19. The ICT & Digital team will continue to ensure compliance with UK procurement regulations and the council's contract procedure rules.
- 4.20. The team will continually seek ways to further utilise the products already deployed at the Council such as the Microsoft 365 suite. By doing this we will aggregate around a smaller number of contracts and exploit any investments we make more fully. This will also ensure we minimise the need for expensive procurement tenders that cost significant resource time.
- 4.21. Although limited by resource, where a procurement is required, the team continues to determine the best routes to market for each of the programme deliverables in collaboration with procurement colleagues. The options identified continue to include:

- Use existing contracts with incumbent suppliers where contracts permit
- Seek multiple quotes from a range of suppliers when the value to do so is clear
- Use frameworks or the government G-Cloud facility to procure services or solutions

Workforce Implications

- 4.22. Following the successful restructure of the team the implications of this report on the ICT & Digital Team are minor. As stated in the report, some adjustments are likely to be made but these will be small in number are not expected to displace existing team members.
- 4.23. As works to help the organisation streamline the way it operates into the future continue, the ultimate consequence of a more efficient and sustainable operating model could be fewer roles across the Council.

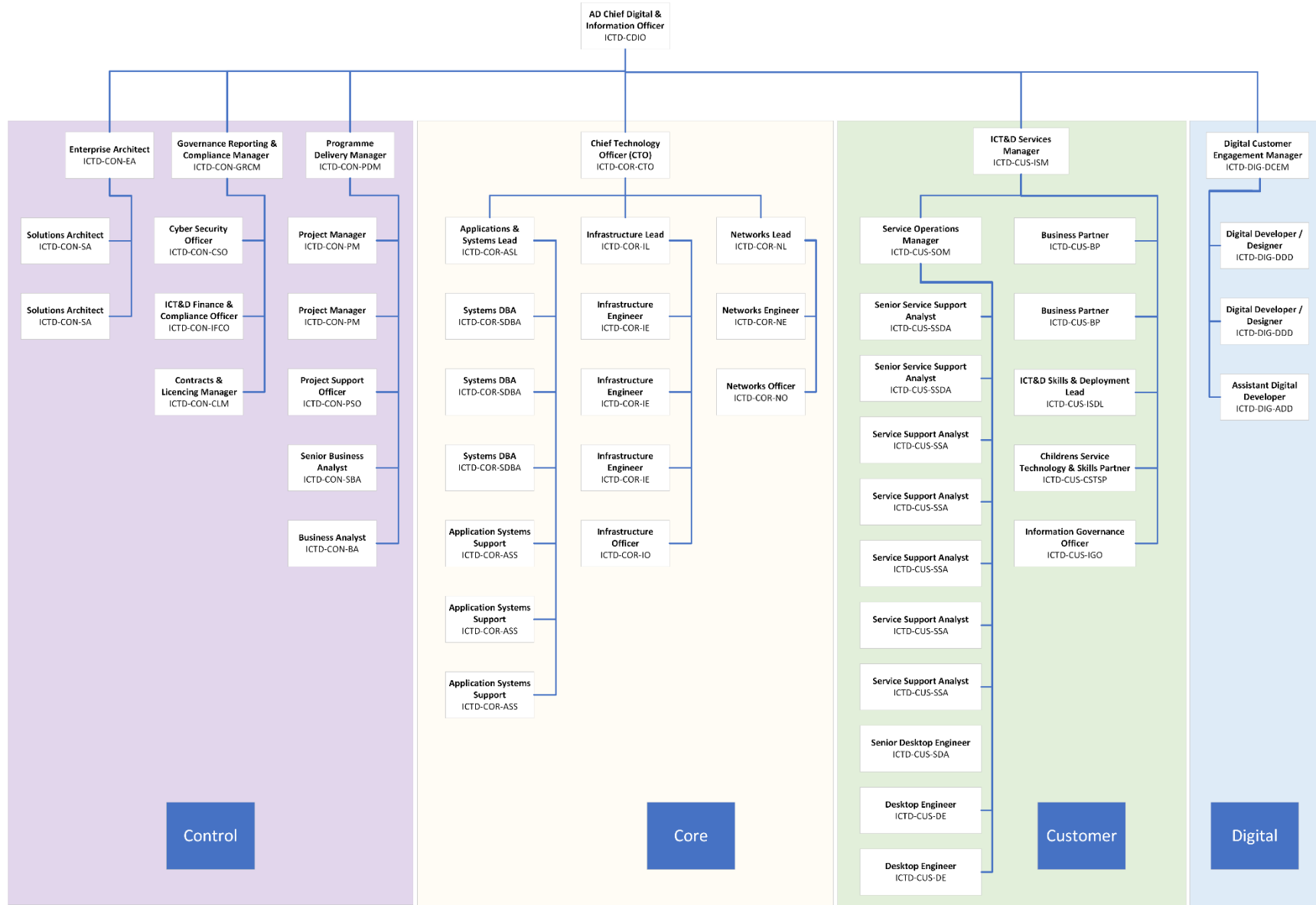
Property Implications

- 4.24. The design of ICT & Digital services will be linked to the changes to Council assets. All technology designs will be aligned to the operating model and locations the Council decides upon for the future.

5. Background Papers

None

Appendix A – ICT & Digital Team structure as at 31st August 2022



Appendix B – ICT & Digital Update – Risk

Risk Description	Likelihood	Impact	Risk Level	Owner	Mitigation	Residual Likelihood	Residual Impact	Residual Risk	Target Risk	Treatment
<p>There is a risk that the full financial support to remediate and modernise ICT & Digital services at the Council is not available</p> <p>CAUSE: Financial position at Slough means that funding is reduced EVENT: The amount of money allocated to the modernisation and remediation of technology and digital services is reduced EFFECT: Services for the public and/or staff do not work optimally, and the Council has a greater risk of service interruption and/or data loss</p>	4	4	16	AD CDIO	1) Monthly tracking of progress and spending shared with key stakeholders 2) Participation in organisational risk processes to ensure oversight of risks linked to funding decisions 3) Formal reporting of carryover required from 2022/23 to 2023/24 within Cabinet papers	3	4	12	8	Reduce
<p>There is a risk that the ICT & Digital Team struggles to maintain the required skills and capabilities within the team to maintain services and the pace of project works</p> <p>CAUSE: Current market conditions make recruitment for technical specialists difficult EVENT: ICT & Digital team unable to recruit specialists required EFFECT: Services are difficult to support and projects slow down leading to a higher risk of failures and increased costs</p>	4	3	12	AD CDIO	1) ICT & Digital Team managing a hybrid resourcing model that includes permanent staff, contract interims, and ad-hoc third-party resources 2) Recruitments following the ICT & Digital restructure are underway 3) Business case mechanism agreed for the use of market supplements so that the Council can compete on salary with other public sector and not-for-profit organisations	3	3	9	6	Reduce
<p>There is a risk that due to pressures across the Council, establishing the governance to gain holistic oversight of all ICT & Digital services is challenging</p> <p>CAUSE: Pockets of ICT & Digital work are taking place outside the ICT & Digital team EVENT: Lack of coherent strategy for ICT & Digital services EFFECT: Increased costs and the loss of opportunity to gain a single view of services that will enable the Council to continually improve and become an evidence-based organisation</p>	4	3	12	AD CDIO	1) Strategy to be created and shared with members and senior stakeholders that will agree new governance that mandates central control of all ICT & Digital works 2) Continuing to engage all identified areas where ICT & Digital work is taking place outside of the core team 3) AD CDIO part of the senior leadership team since August	3	3	9	4	Reduce

Slough Borough Council

REPORT TO:	Cabinet
DATE:	19th December 2022
SUBJECT:	Approval of In-Year Change Request for Slough Children First Limited (SCF)
PORTFOLIO:	Cllr Christine Hulme, Children's Services, Lifelong Learning & Skills
CHIEF OFFICER:	Stephen Brown – Chief Executive
CONTACT OFFICER:	Sarah Wilson – Principal Lawyer Jane Senior, Associate Director People Strategy and Commissioning Peter Robinson – Nominated Council Finance Representative
WARD(S):	All
KEY DECISION:	YES
EXEMPT:	Public, except Appendix 1 as it contains information that is protected by legal professional privilege and Appendix 4 as it contains information about the business activities of the Council and SCF.
DECISION SUBJECT TO CALL IN:	YES
<u>APPENDICES:</u>	Confidential Appendix 1 – SCF summary for UASC Appendix 2 – SCF summary for pay award pressure Appendix 3 – SCF summary for contract inflation pressure Confidential Appendix 4 – Minute of Strategic Commissioning Board

1 Summary and Recommendations

- 1.1 This report requests approval for an in-year change request under the Service Delivery Contract (SDC) for Slough Children First's (SCF). SCF is wholly owned by the Council and contracted to provide statutory children's social care services.
- 1.2 The SDC provides a contractual mechanism for making in-year changes to the Contract Sum. SCF has submitted a request to cover funding pressures for 2021/22 and 2022/23. This is the second such request this financial year, the first being for the sum of £343k for 2022/23 and was agreed by Cabinet in September 2022.

Recommendations:

Cabinet is recommended to:

- Agree a one off non recurrent in-year increases in the contract sum to Slough Children First of approximately £1,786k relating to 2021/22 and 2022/23, being £613k for 2021/22 and £1,172k for 2022/23 for the demand pressures highlighted in Appendix 1 to 3, increasing the 2022/23 contract sum to £33.565m.
- Note the current in-year forecast losses and that the Council's £5.000m working capital loan is being used to cover these losses, putting a risk on repayment of the loan, unless alternative sources of funding are found either via savings in future years, or a further in-year change request is agreed, subject to submission of a compliant and accepted submission.
- Delegate authority to the Executive Director of Finance and Commercial, in consultation with the Lead Member for Children's Services, Lifelong Learning & Skills, to agree the final in-year increase figure, including releasing it on a phased basis for 2022/23 based on actual spend.

Reason:

To ensure that Cabinet agrees appropriate levels of funding for SCF in accordance with the contractual mechanism and that decisions are taken informed by the wider financial risks and financial position and the impact this has on Council services and the budget as a whole

Commissioner Review

The in-year request is for the 2021/22 and 2022/23 years only and should not be built into the base budget. This is particularly relevant in relation to the loss of public health grant as it is only appropriate to fund this on a one year basis due to the expectation that this grant would be available. The working capital loan is still repayable at the end of the contract and future budgets need to be set on the basis that this needs to be paid back.

2 Report

Introductory Paragraph

- 2.1 SCF became wholly owned by the Council on 1 April 2021, with new Articles of Association setting out its governance arrangements. The Company was previously Slough Children's Services Trust, incorporated on 12 March 2015 and has been responsible for the delivery of statutory children's social care functions within Slough from 1 October 2015.
- 2.2 SCF delivers statutory children's social care functions under a direction of the Secretary of State and in accordance with a service delivery contract between SCF and the Council. Improvement activity to support this across children's services are a critical part of the Council's improvement journey and the Council and SCF need to work together to ensure that the services can be delivered in a cost-effective way, contributing to the delivery of required financial savings to enable the Council to become financially sustainable within the medium term.

- 2.3 In February 2022, an interim business plan for SCF for 2022/23 to 2024/25 was approved by Cabinet. This set out the strategic priorities for the company as well as the financial strategy. The report included concerns relating to the deliverability of the plan and it was recommended that the plan was approved on an interim basis only. Update reports on progress on the business planning process and governance arrangements in place to manage SCF were reported to Cabinet in October 2022.
- 2.4 SCF has twice formally raised risks insolvency. The current draft business plan from 2023 requires significant increases in the base budget and SCF officers have highlighted significant deficits in 2021/22 and 2022/23.
- 2.5 Following advice from Council officers, SCF has submitted a Type One In-Year Change request to cover specific in-year funding pressures.

Slough Corporate Plan

- A borough for children and young people to thrive

The Council's corporate plan emphasises the need for children and young people to be able to access services that keep them safe and secure. This includes a focus on delivering preventative help to children and families. It also includes a focus on raising aspirations and delivering opportunities for young people to prosper. Support for children and young people should be seen as a whole Council responsibility. The Council needs to focus on delivering effective and cost efficient services and should make funding decisions on receipt of suitable evidence to demonstrate that this meets the Council's best value duty.

- A council that lives within our means, balances the budget and delivers best value for taxpayers and service users

In their report to DLUHC published 28th July 2022, Slough Borough Council Best Value Commissioners expressed uncertainty regarding the deliverability of the Council's current savings plan. Also, that the financial pressures arising from the current model of delivery of SCF are not possible to contain without an impact on service delivery. The Council has worked with SCF officers to ensure this in-year change request is focused on those areas that can be properly evidenced as being due to unforeseeable pressures that were not containable. SCF also has wider deficits for both 2021/22 and 2022/23 which it is using its cashflow loan for. It is unclear at this stage how the Council might support or justify any additional requests for funding for these pressures, due to the Council's financial situation. The Council will consider longer term invest to save proposals as part of the business planning process, which includes setting the Contract Sum for 2023/24. Further information will be presented to Cabinet following the review being undertaken by the People Scrutiny task and finish group.

Options considered:

The model of delivery for children's social care in Slough is based on a statutory direction from the Department for Education. The service delivery contract includes two types of in-year change mechanisms, one based on demand pressures and one based on an invest to save proposal. The Council is obligated to consider such a request, if made properly in accordance with the contract. The Council has two broad options: to accept the change and provide additional funding on an in-year basis or to refuse the change (albeit some elements could be agreed and some not).

As the sum is above the key decision threshold, the decision is one for Cabinet to make. If the Council chooses not to fund this request, the contract contains a dispute resolution process which would need to be followed. The Council would need to demonstrate it has taken account of the impact of such a decision and the reasonableness of its approach. Council officers have worked with SCF officers and recommend that this request is approved, as it represents a reasonable request supplemented by evidence of the increased demand.

Background

- 2.6 The arrangement for delivery of children's social care services is governed by a detailed service delivery contract (SDC) which contains a number of schedules. In addition, the Council's children's social care services are under the statutory intervention of the DfE and there is a governance side agreement setting out what Council powers are subject to the consent and consultation with the Secretary of State for Education.
- 2.7 Schedule 5 of the SDC set out the financial mechanism. This includes provisions to agree an annual Contract Sum, which is paid via 12 equal monthly instalments. There is a dispute resolution process if the parties cannot agree the Contract Sum. The Council provided SCF with a £5.000m working capital loan and the contract confirms that this is not repayable until the final invoice is settled at the end of the Contract Term. There are provisions in relation to adjusting the Contract Sum if it was calculated as a result of material errors and/or omissions. Neither party has alleged that this has happened in relation to the setting of the Contract Sum for 2021/22 or 2022/23, although concern was raised about the deliverability of some of the savings proposals contained in the business plan for 2022-2025.
- 2.8 Schedule 5 contains detailed requirements in relation to monthly reporting. Schedule 5 also contains provisions for in-year changes. There are two types of in-year change, firstly a Type One request, based on an increase in demand for the Services or additional cost to SCF that could not have reasonably been anticipated and secondly a Type Two request, based on a business case proposal to deliver an improvement in the Services requiring a short term increase to the Contract Sum. SCF has submitted a Type One In-Year Change Request. The request must contain prescribed information and should be considered by the strategic commissioning group which comprises officers from the Council and SCF. Officers have worked with SCF officers to ensure that the request contains the prescribed information and is in a format that would justify a recommendation to approve.
- 2.9 Due to the amount of funding sought, officers do not have delegated authority to approve the request. Therefore, whilst it was discussed by officers who would attend the strategic commissioning group, SCF officers were informed that the request needed to be submitted to Cabinet for a decision.
- 2.10 Schedule 5 also sets out a mechanism for management of surpluses and deficits. SCF is obligated to inform the Council as soon as reasonably practicable and manage any deficits in the following order of precedence:
- Take action, wherever possible, to contain the expenditure;
 - Subject to review under the annual review process, to vire underspends which it is entitled to retain;

- Consider whether it can cover the deficit from other resources outside of these arrangements;
- Submit a Type One In-Year Change Request for additional funding.

2.11 SCF has notified the Council that it has a £1.332m deficit for 2021/22 and is projecting a £4.939m deficit for 2022/23. Council officers have advised that the evidence supplied for items not covered by the new Type One In-Year Change Request, are not sufficient to demonstrate that SCF has taken action to contain the expenditure. To ensure SCF has enough funds to continue trading it has taken the decision to focus on areas that are more straightforward to agree before the end of the calendar year.

2.12 SCF are likely to submit a further in-year change request before the end of the financial year, likely to be submitted to Cabinet in February 2023, alongside its business plan for 2023/24 – 2025/26 in order to agree its budget for 2023/24. Council officers have advised that it would be preferable to submit focused requests on single issues, as opposed to including all overspend in one request, as this makes it easier to analyse and evidence.

2.13 On 25 October 2022 SCF submitted an In-Year Change Request for the total sum of £1.880m. This covered deficits for 2021/22 and 2022/23, but for certain areas it only covered 6 months of expenditure for 2022/23. Following advice and meetings between SCF and Council officers, the request was split up into four areas and further information supplied. The individual requests have been updated and the total request reduced to £1.786m. The four areas cover the following areas of spend:

- **Unaccompanied asylum-seeking children (UASC) £650k** – SCF have notified the Council that there is pressure on its budget as a result of an increase in UASC in its area. Home Office funding is provided for UASC, however the rate of funding depends on the route of transfer to the Borough. Of the UASC, 9 were in the system as at 1 April 2021, this rose to 26 by 31 March 2022 and 31 at September 2022. Only 5 have come via the national transfer scheme, the remaining 26 have arrived through other routes and Home Office funding is not available until their status is confirmed. Appendix 1 to 3 provides further information on the increase in demand and how this is being managed. Costs include placement costs, support, subsistence, translation services, legal fees and costs of undertaking age assessments. There is a backlog of age assessments due to the specialist nature of the work, however SCF is taking active steps to increase resources for staff able to undertake this work and for appropriate adults. SCF also takes legal advice on any pre-action or issued legal proceedings challenging its decision-making and further information is provided in confidential appendix 1.
- SCF is also taking a number of steps to manage the cost pressures arising from this increased demand, including sharing best practice and developing the skills of its social workers, ensuring that UASC can be transferred under the national transfer scheme where appropriate, working with a local provider to develop a new provision tailored to UASC specific needs and looking at commissioning opportunities to develop a model of semi-independent placements with support tailored to individual needs. It is recommended that this in-year pressure is funded by the Council;

- **Pay award pressures £548k**– SCF assumed a pay award of 0% in 2021/22 and 2% in 2022/23. A pay award of 1.75% was settled for 2021/22 and it is assumed a fixed pay award that will equate to an average increase of 4% will be settled for 2022/23 together with changes in NI contributions. This has resulted in a budget pressure of £189k for 2021/22 and £358k for 2022/23. It is reasonable for the Council to fund the agreed pay awards and increased NI contributions incurred by SCF, further information is provided in confidential appendix 2. It is recommended that this in-year pressure is funded by the Council;
- **Inflationary uplift request for placement costs £88k** – due to rising inflation, SCF commissioned PeopleToo to introduce a robust process for negotiating inflationary requests on 4 May 2022. This requires contractors to submit a completed proforma. Two providers submitted the proforma and SCF agreed uplifts of 4-6% for one contractor and 18-36% for a second provider. The original requests totalled additional expenditure of £108k, however SCF officers have negotiated this down to £88k. SCF has a reasonable process in place to manage requests for inflationary increases and the inflationary pressure has been a direct result of national and international pressures and were therefore not foreseeable, further information is provided in confidential appendix 3. It is recommended that this in-year pressure is funded by the Council;
- **Loss of public health grant £500k** – SCF’s budget was set on the understanding that £500k of public health grant would be available to fund discretionary services to support the wider public health outcomes. A review of the use of the public health grant has meant that this funding is no longer available to SCF. This has led to a pressure on its budget which was not foreseeable. It is recommended that this in-year pressure is funded by the Council;

2.14 The in-year change request was discussed at the contractual strategic commissioning group on 25 November 2022. A minute of this meeting is appended at Appendix 4 as a confidential appendix.

3. Implications of the Recommendation

3.1 Financial implications

3.1.1 The contract sum for services provided by SCF in 2022/23 agreed by Cabinet in February 2022 and approved by Council in March 2022 was £31.436m. Cabinet also approved a working capital loan of £5m in March 2021 that is due to be repaid at the end of the contract.

3.1.2 SCF incurred a deficit of £1.332m in 2021/22 and are forecasting a deficit for 2022/23 of £4.939m, an accumulated deficit of £6.271m at 31 March 2023. Assuming savings planned are delivered and the current forecasts are realistic. The current projections would mean SCF would be insolvent by the year end if no additional funding is agreed with the Council or DfE.

3.1.3 An in-year change request of £0.343m was requested by SCF in August 2022 and approved by Cabinet in September 2022, increasing the contract sum for 2022/23 to £31.779m.

- 3.1.4 The in-year request recommended for approval in this report is for a further £1,786k relating to 2021/22 and 2022/23, being £613k for 2021/22 and £1,172k for 2022/23. This will increase the contract sum to £33.565m in 2022/23. This is an in-year change request and does not change the base budget for future years. The Contract Sum negotiation for 2023/24 is in progress and Council will agree what it can finance as part of its budget setting process.
- 3.1.5 The increases in funding will be financed from an ongoing review of the Council's financial position as it moves to close down previous years accounts and manage the in-year position.
- 3.1.6 SCF have indicated that they will be preparing a further in-year change requests to cover the remainder of their deficit which if agreed and is affordable will be submitted for Cabinet consideration in February 2023 along with their business plan and proposed budget for 2023/24. Cabinet will at that stage be advised what the Council can finance.
- 3.1.7 Work is underway as part of the SCF delivery plan to look at overall costs with partner organisations to examine overall expenditure on children to determine whether working more closely together could deliver efficiencies.

3.2 Legal implications

- 3.2.1 The Secretary of State for Education has powers to issue a direction in relation to specified social services functions relating to children under s.497A of the Education Act 1996. Various directions have been issued in relation to statutory functions in Slough since 2014. The sixth statutory direction was issued in April 2021. This requires that the Council secures that prescribed children's services functions are performed by SCF and the Council jointly and other prescribed children's services functions are performed by SCF on behalf of the Council. The Council was also directed to enter into a new service agreement to implement the discharge of these functions and continue to comply with any instructions of the Secretary of State, his representatives and the Children's Services Commissioner in relation to i. ensuring that the Council's children's social care functions are performed to the required standard; ii. the terms of the Service Agreement that require the Secretary of State's consent or approval; iii. the operation of the Direction.
- 3.2.2 The SDC sets out the contractual provisions applicable to the in-year request. This process has been followed and officers recommend that the in-year funding request is approved. If this is not approved, the formal dispute resolution processes will need to be utilised.
- 3.2.3 Council officers and the DLUHC appointed commissioners continue to have constructive discussions with the DfE around options for financial sustainability for these statutory services. A new DfE appointed commissioner commenced in role in October 2022 and has met key stakeholders. He is very cognisant of the need for financial prudence and to demonstrate value for money and has already picked up on key recommendations from a DfE commissioned review of the draft business plan to focus on managing demand within the existing staffing cohort as opposed to seeking additional funding to respond to demand pressures.

3.3 Risk management implication

Risk	Assessment of Risk	Mitigation	Residual Risk
Children and Families at risk.	Very High The Company has raised a serious issue that children and families will be at significant risk due to a rise in demand pressures, should solutions and mitigations not be found.	A Type-one in year change request has been submitted seeking additional funding to address some of the risks raised. Recruit to the existing vacancies to deal with the demand and effectively assess and intervene to mitigate risk of harm to children.	High
Insolvency risk is hard to properly assess without a finalised business plan.	Very High The Company has raised an issue in respect of its solvency.	The in-year request for funding will help alleviate the risk of insolvency. The draft business plan 2022-29 has been reviewed by Mutual Ventures and is being reviewed by the Council's People Scrutiny task and finish group. Future necessary action will be determined following the conclusion of this review.	High

3.4 Environmental implications

None

3.5 Equality implications

This in-year funding request supports services to some of the Council's most vulnerable families and children. This is particularly relevant in relation to UASC who are more likely to come from specific ethnic and religious groups and whom have arrived in the country claiming asylum with limited family support.

3.6 Procurement implications

None

3.7 Workforce implications

None

4. Background Papers

None.



Pay Award pressure above budget assumptions 2021/22 and 2022/23

The total pressure for pay awards above the increases assumed in the budget have resulted in an overall cost burden on the company of **£548k** over 2021/22 and 2022/23.

**Impact of NI and Pay-Awards
above that assumed in the
2021/22 and 2022/23 Budget**

	£
Pay-Award 2021/22	189,563
Pay-Award 2022/23	302,836
NI seven months 2022/23	55,346
	547,745

The pay inflation budget for 2021/22 was set at zero in line with that assumed by the Council, the actual award was 1.75%. Excluding DFE funded posts and the knock on impact on employers national insurance and pension contributions this cost pressure is **£189k**.

There has been a significant rise in inflation rates to levels unprecedented in over 40 years since the budget was set. This has led to a fixed pay award of £1,925 for in 2022/23, equivalent to a 4% increase compared to the 2% assumed in the budget at a cost of **£303k**.

The government introduced an increase in national insurance rates for employers of 1.5% April 2022 – 6th November 2022 which was not built into the budget for 2022/23. The impact of this increase is **£55k**.

Year	Type	Description	£'000s
2021/22	Pay award	Pay award settlement	1.75%
		Gross salary - post uplift	10,725
		Gross salary - pre uplift	-10,536
	Total Shortfall 21/22		189
2022/23	Pay award - £1,925 x 254.17 (ave FTE)	Impact on pay + on costs of NI and pension	625
		Less budget expectations of 2%	-322
		Estimated shortfall	303
	NI Uplift paid 06/04/22 - 06/11/22	Forecast actual total NI element including uplift	666
		Forecast NI pre uplift	-611
		Shortfall - 1.5% of NI	55
	Total Shortfall 22/23	358	
Total Pay shortfall			548

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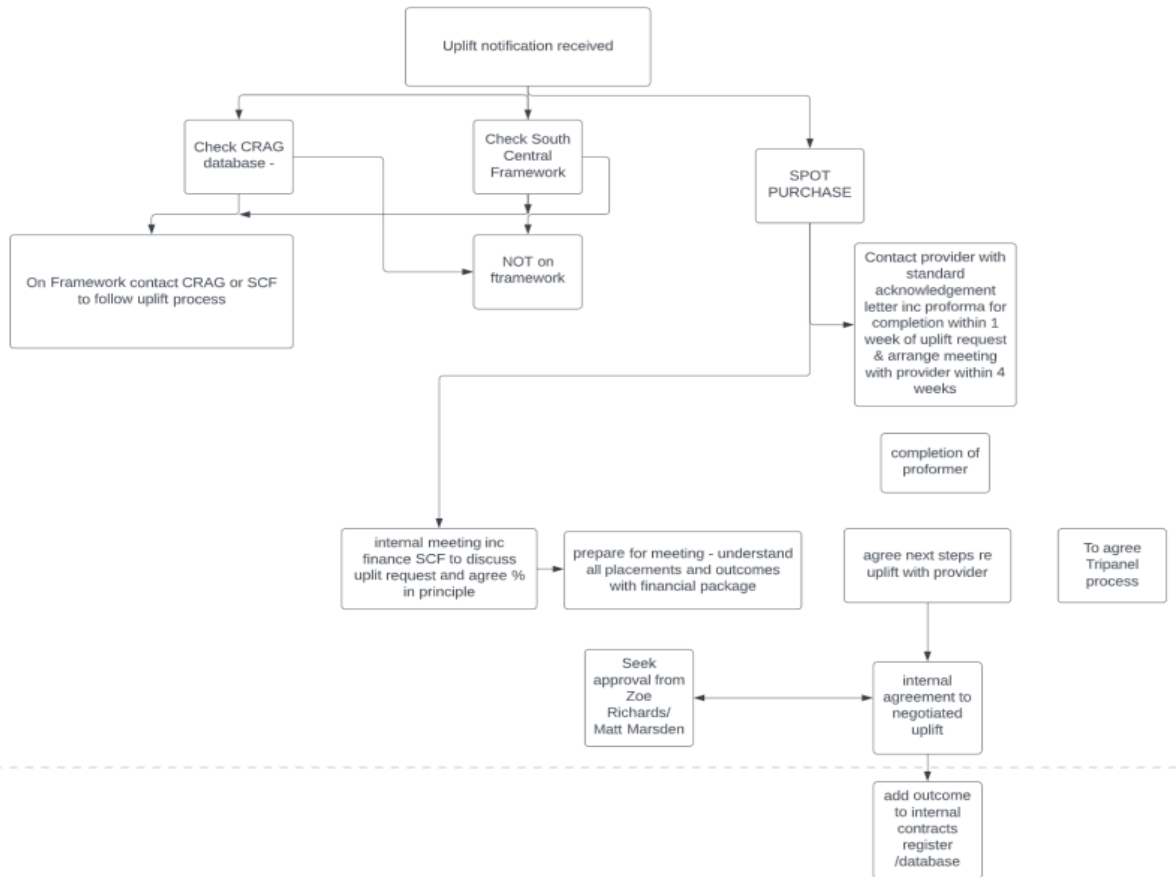
Inflationary Uplift Request process

1. Purpose of report

- 1.1 To respond to SBC re evidence of assurance that SCF have a process in place to negotiate with providers around inflationary uplift requests and where contracts are in place that rises are in accordance with contract terms.

2. Inflationary uplift Request Process

- 2.1 Pressures have arisen from contract inflation from providers of support to children with disabilities - £88k above budget assumptions.
- 2.2 SCF commissioned PeopleToo to introduce a robust process for negotiating inflationary requests on 4th May 2022. PeopleToo developed a form for completion by suppliers for any such inflationary requests, this was sent out to all suppliers on 16th June 2022. The form captured details of why an inflationary uplift was required providing details to support the request.
- 2.3 SCF have received numerous requests for inflation uplifts and have introduced a process for providers to follow allowing for detailed scrutiny of the cost uplifts on the suppliers to assess for reasonableness. The process flowchart is below.



3. Requests received

3.1 2 requests for uplifts were received in relation to children with disability services and considered:

- Provider A – completed proforma in Appendix 1
- Provider B – completed proforma in Appendix 2

3.2 Below is a table of the Children with Disabilities support contracts, the uplift request and what was agreed



Contract	Contract Sum £'000	Requested		Agreed - based on 21/22 spend	
		%	£'000	%	£'000
Arbour Vale School	85	0.0%			
Beehive	38	0.0%			
Thames Valley Adventure Playground	4	0.0%			
Camp Mohawk	3	0.0%			
The Light *	215	18% - 44%	96	18% - 36%	78
Parvaaz *	191	4% - 6%	11	4% - 6%	11
Total	536		106		88

* Individual Packages of Care (POCs) are purchased so contract sum is based on 21/22 spend

Appendices

Provider A proforma



The Light uplift
request.xlsx

Provider B proforma



Parvaaz Uplift
Request.xlsx



A hands-on approach to help children in Slough be
..... Safe, Secure and Successful

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Slough Borough Council

REPORT TO:	Cabinet
DATE:	19th December 2022
SUBJECT:	Re-procurement of Adult Social Care Extra Care Contracts.
CHIEF OFFICER:	<i>Marc Gadsby, Executive Director People (Adults)</i>
CONTACT OFFICER:	<i>Jane Senior – Associate Director People Strategy and Commissioning</i> <i>Suzanne Binns, Group Manager - People Strategy</i>
WARD(S):	ALL
PORTFOLIO:	Cllr Natasa Pantelic, Social Care and Public Health
KEY DECISION:	YES
EXEMPT:	YES – Appendix is exempt on the ground that it contains exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information”)
DECISION SUBJECT TO CALL IN:	YES
APPENDICES:	<i>Appendix 1 – Equalities Impact Assessment</i> <i>Exempt Appendix A – Pricing Information</i> <i>Exempt Appendix B – Factors requiring change of procurement timetable.</i>

1 Summary and Recommendations

- 1.1 In January 2022, Cabinet approved the extension of the existing contract to Creative Support for Integrated Care and Support in Extra Care to the value of £848,200 per annum for a period of two years, this is equal to £1,696,400 (one million, six hundred and ninety-six thousand, four hundred) over two financial years to cover the period 1st April 2021 to 31st March 2023. It was agreed that a paper seeking permission to procure new service provision would be brought to Cabinet in June 2022.

- 1.2 In June 2022, Cabinet approved the procurement of an Integrated Care and Support in Extra Care Services for a 3-year contract plus a one year extension period from 1st April 2023 to 31st March 2027. This was likely to be at a reduced cost predicated upon a reduction in night-time staffing hours. The extension was to be subject to satisfactory performance throughout the initial contract period and the contract being assessed as continuing to meet best value requirements.
- 1.3 Further to approval of the procurement, officers within the People Strategy and Commissioning Team issued a Prior Information Notice (PIN) on 22 July 2022 and following a change in personnel, tender documents were published on 29 September 2022, with a closing date of 7 November 22. The timescales, whilst tight, would have allowed for an evaluation of bids and for a report to have been presented to Cabinet in December 2022, seeking permission to award a contract, with sufficient time for mobilisation to have taken place.
- 1.4 A high number of clarification questions were received which could not be responded to within the necessary timescales, as information either had not been gathered, provided, recorded or otherwise made available to incoming personnel. Further, the rationale for a reduction in night-time hours could not be evidenced. On this basis, and in discussion with the Executive Director for People (Adults) and the Lead Member for Social Care and Public Health, it was agreed that the tender should be aborted, as despite the best efforts of officers to progress the procurement within necessary timescales, it would not be possible for suppliers to submit appropriately costed bids. Further detailed information is contained at Exempt Appendix B.
- 1.5 It is now requested that a new tender is undertaken in early 2023. Given the likely time frames and the timing of the Local Elections, it is recommended that delegated authority is given to award the contract to avoid any further delay. This will necessitate a further short contract extension to the incumbent provider, Creative Support Limited, for a 5 month period to cover the time over which the procurement will take place.

Recommendations:

Cabinet is recommended to:

1. Agree to extend the term of the current contract with Creative Support Ltd for Integrated Care and Support in Extra Care for a further 5 month period from 1st April 2023 to 31st August 2023 at a cost of £353,417.
2. Approve commencement of a new procurement for Integrated Care and Support in Extra Care for up to 4 years at a maximum cost of £848,200 per year (excluding any inflationary uplifts awarded) and delegate authority to Executive Director People (Adults), in consultation with Lead Member Social Care and Public Health and the Section 151 officer, to award the contract to commence in September 2023.
3. Note the revised pricing scenarios included at Exempt Appendix A
4. Note the learning from this case and the work to be undertaken corporately to address recruitment challenges.

Reason:

To ensure that an Integrated Care and Support in Extra care service that offers best value is procured properly and safely.

Commissioner Review

The recommendations are supported. It is disappointing that at a late stage in the process the failure to properly record the required data made it necessary to abort the tender procedure, but it is absolutely the correct decision. The Council needs to learn the lesson in all its service areas that data management and doing the boring really well is an essential component of delivering best value.

2 Report**Introductory paragraph**

- 2.1 The provision of good quality Integrated Care and Support in Extra Care enables individuals with assessed care and support needs to remain living in their own home, thus promoting independence and reducing the need for more expensive residential care.
- 2.2 Extra Care plays an essential role within the health and social care system, not only by delivering care to those who are assessed as requiring it, but also by averting the need for individuals to move to alternative residential care options, maintaining their independence and retaining greater control over their lives.
- 2.3 The provision of Integrated Care and Support in Extra Care meets the following Council priorities and objectives:

Slough Health and Wellbeing Strategy

Priority Two- Integration – Increasing the proportion of people living independently at home and decreasing the number of people living in care homes.

Slough Corporate Plan 2022-25

A Council that lives within our means, balances the budget, and delivers best value for taxpayers and service users

An environment that helps residents live more independent, healthier and safer lives.

Options considered

A number of options were considered:

Option	Pros	Cons
<p>Option 1 Continue with the procurement in accordance with existing timelines.</p>	<p>Compliance with procurement timetable agreed at Cabinet in June 2022.</p> <p>Does not require an additional extension to the contract term.</p>	<p>Unable to provide sufficient information to suppliers to enable them to properly cost bids.</p> <p>Possibility of failed tender causing further delay.</p> <p>Failure to adhere to procurement timetable agreed at Cabinet in June 2022, necessitating a further contract extension, which does not adhere to Contract Procedure Rules.</p>
<p>Option 2 Abort tender and issue direct award of Contract to existing provider for the proposed contract term.</p>	<p>This would maintain existing care arrangements.</p> <p>This would reduce resource pressure placed upon teams engaged in procurement activity.</p>	<p>This would not comply with the recommendation made to Cabinet in January 2022 to re-procure these services.</p> <p>The Council would not be able to seek possible better value from the market in relation to provision of Extra Care services.</p> <p>Would need to find mechanism to comply with Public Contracts Regulations</p> <p>There is a mature care and support market, and a competitive tender process is recommended.</p>
<p>Option 3 Extend timelines for procurement and request a contract extension. Recommended</p>	<p>Allows an appropriate procurement to be undertaken.</p> <p>Allows for necessary information to be gathered.</p>	<p>Extension to existing contract is required, which requires a waiver under Contract Procedure Rules (CPR).</p> <p>Officers will apply for an exemption under CPR para 14 on demonstrable best interest</p>

		and service imperative grounds
Option 4		
Abort tender and seek agreement from individuals receiving care from this provider to transfer to direct payments.	It would be cost effective to transfer individuals in receipt of commissioned care packages onto direct payments.	<p>Individuals in receipt of Extra Care services have complex needs for whom the management of their care arrangements via Direct Payments is unlikely to be feasible for the 24/7 onsite presence.</p> <p>Individuals in receipt of Extra Care services might not agree to transfer to direct payments.</p>

Background

2.4 Extra Care balances independent living with an enhanced sense of security where service users receive support to manage their tenancies. Essential to this are the following extra care characteristics:

- Purpose-built, accessible design promoting independent living which supports people to age in place.
- Fully self-contained properties with own front doors.
- Secure tenancies or lease arrangements where the service user has full control over who has access to their own home.
- Office for use by staff serving the scheme and sometimes the wider community.
- Communal spaces and facilities.
- Access to planned and unplanned urgent care and support services 24 hours a day, 7 days a week.
- Community alarms and other assistive technologies.
- Safety and security often built into the design with fob or person-controlled entry.

2.5 Extra Care schemes provide a cheaper and more personalised support to adults when compared to residential care settings as the council will only pay for the provision of care and support, the accommodation cost is the responsibility of the tenant. Tenancy or purchasing of extra care properties are paid directly by the service user to the Landlord. This includes additional charges relating to maintenance, communal facilities, and support as described in the tenancy agreement. Where affordability is a barrier, this is often funded via housing benefits claims and/or council tax reductions.

2.6 Slough Extra Care Schemes: Since 2008, there have been two Extra Care Housing Schemes in Slough; 56 properties at Northampton Place and 70

properties at The Pines. There are a total of 126 properties across the two schemes.

1. Northampton Place is designed with 47 one-bedroom and 9 two-bedroom self-contained properties. 10 of the 56 properties are sold on a shared ownership with the rest being available for rent.
2. The Pines is designed with 55 one-bedroom and 15 two-bedroom self-contained properties. 17 of the 70 properties are sold on a shared ownership with the rest being available for rent.

Under the shared ownership scheme, eligible applicants must buy 75% share of the property, with the Landlord Anchor/Hanover, retaining the remaining 25% share in the property.

- 2.7 Eligibility: Applicants must be 55 years or older, with care and support needs, and have a local connection to the area. For either setting, the applicant must make an application on the housing register to rent an extra care property or register with the Council for shared ownership. Applications are assessed for suitability by the Housing Panel; this is a joint Adult Social Care, Housing Allocations, care operator, and housing operator panel that reviews and agrees applications to the schemes from adult social care and housing allocations.

3. Implications of the Recommendation

3.1 Financial implications

3.1.1 The Council is responsible for procuring a suitable care provider and payment of care and support costs to meet assessed needs.

3.1.2 The current budget/contract price of £848,200 per annum, provides a maximum of 45,130 hours of care; this is a mixture of planned care, unplanned care, and urgent care. It is recommended that re-procurement is undertaken on a maximum budget of £848,200 (excluding any inflationary uplifts awarded) on a block contract basis with no change to the current service delivery model. Details are set out at Exempt Appendix A.

The proposed level of commissioned hours is commensurate with the needs outlined within care reviews for the individuals for whom the council currently provides care across both schemes. These clients typically have complex needs and have had more than one care review undertaken over the last year. Therefore there is some certainty that the level of proposed commissioned hours is being set an appropriate level.

3.1.3 This provision is demand-led, where any changes in service user assessed needs, over and above the contracted value will require approval via the routine Social Care Panel Approval process. This will provide the necessary scrutiny prior to any further commitment of council funds above the contracted level over the life of the contract.

3.2 Legal implications

3.2.1 The Care Act 2014 requires the local authority to meet identified eligible needs as assessed under s9 of the Care Act, and to make appropriate provision to meet those

needs. Where this is identified as Extra Care, then there is a duty placed upon the Council to make that provision.

3.2.2 The Care Act statutory guidance states that 'high quality, personalised Care and Support can only be achieved where there is a vibrant, responsive market of services available'.

3.2.3 Under section 5 of the Care Act, the local authority has a duty to shape and maintain an efficient and effective market of services for meeting care and support needs in the local area.

3.2.4 The duty applies in relation to services that the Local Authority commissions directly, but also to other non-commissioned services in its area (including those used by self-funders), universal services and services provided by partners (such as health or charitable services) that together create the marketplace.

3.2.5 The market that is shaped should ensure that any person requiring Care and Support/Support services:

1. Has a variety of providers, supplying a variety of services to choose from;
2. Has a variety of high-quality services to choose from; and
3. Has sufficient information to make an informed decision about how to meet the needs in question

3.2.6 Use of a properly established Dynamic Purchasing System (DPS) to procure Integrated Care and Support in Extra Care is a compliant procurement approach in accordance with both the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

3.2.7 The DPS must be operated as a completely electronic process and must be open, throughout the period of validity of the DPS, to any economic operator that satisfies the selection criteria

3.2.8 To procure under a DPS, the council must follow the rules of the restricted procedure, which means that any economic operator can submit a request to participate in response to the call for competition by providing the information for qualitative selection requested by the council. The minimum time limit for receipt of requests to participate, where a prior information notice (PIN) is used as a means of calling for competition, is 30 days from the date on which the PIN is sent to the UK e-notification service - Find a Tender.

3.2.9 The council must offer unrestricted and full direct access free of charge to the procurement documents, by means of the internet, on an ongoing basis from the date on which the PIN is sent. This requirement can be satisfied by providing a link to a procurement portal (such as SE Portal) where potential candidates can access the documents.

3.2.10 The council must finalise their evaluation of requests to participate in the DPS, in accordance with the applicable selection criteria, within ten working days following their receipt, and must simultaneously and in writing invite the economic operators which have expressed their interest to confirm their continuing interest and invite the selected candidates to submit their tenders.

3.2.11 The minimum time limit for receipt of tenders must be at least ten days from the date on which the invitation to tender is sent. However, the council may set the time limit for the receipt of tenders by mutual agreement between the council and all selected candidates, provided that all selected candidates have the same time to prepare and submit their tenders.

3.2.12 Where the council awards a contract under a DPS, there is no compulsory standstill period.

3.2.13 The council must either send a contract award notice within 30 days after the award of each contract based on the DPS or group such notices on a quarterly basis and send the grouped notices within 30 days of the end of each quarter.

3.2.14 HB Public Law can advise as required on the DPS procedural requirements and contract awards and conclusion.

3.2.15 Under Regulation 72 (1) (b) of The Public Contracts Regulations (PCR), the current contract can be extended for a further 5 month period from 1st April 2023 to 31st August 2023 because the additional services from the current contractor have become necessary and were not included in the initial procurement, and a change of contractor:

- (i) cannot be made for economic reasons such as requirements of continuity of existing services procured under the initial procurement, and/or
- (ii) would cause significant inconvenience or substantial duplication of costs for the council,

provided that any increase in price does not exceed 50% of the value of the original contract.

The proposed contract extension is for the minimum period necessary to enable the council to complete the compliant re-procurement process.

The council must send a notice of the contract extension in accordance with Regulation 51 of the PCR to the UK e-notification service (Find a Tender Service) for publication.

3.2.16 The Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended) ('TUPE') will apply to any transfer of the services to any new contractor(s). While no staff will transfer to or from the council, and so the council itself is not directly subject to TUPE, the tender process must facilitate compliance with TUPE by all bidders.

3.3 Risk management implications

3.3.1 The recommended option will ensure the continuity of supply when the existing contract terminates on the 31ST of March 2023 – both in terms of contract extension and re-procurement. The table below sets out the risks associated with the proposed course of action and the mitigating action.

Risk	Assessment of Risk	Mitigation	Residual Risk
Missing information is not able to be gathered in the timescales set out to enable an effective re-procurement.	Medium It is evident that information either had not been gathered, provided or recorded to the detriment of the current team in seeking to progress the procurement.	. The People Strategy and Commissioning Team is aware of gaps in information and has already sought to remedy this.	Low
Suppliers do not bid under the revised timescales	Medium There is a risk that suppliers will not bid for new services within a difficult economic environment.	Low The aborted procurement attracted market interest. Revised documentation – furnished by evidence, is likely to attract a higher number of compliant and properly costed. bids.	Low
Suppliers bid at rates which are higher than those currently, placing a pressure on Adult Social Care budgets.	Medium The market is facing significant economic pressures. This includes increases in national insurance contributions, inflationary pressures and wage competition from other sectors.	Approaches to inflationary uplifts will be included within tender documents.	Medium / Low
Loss of continuity of supply for service users if the existing supplier does not bid or bids at excessive price	Medium	TUPE will apply to any transfer of service from one provider to another. Service users whose packages of care are identified as potentially requiring transfer will receive a service review to determine whether their individual needs can be met by the new provider.	Low
Providers offering a lower price will result in a lower quality	Medium	There are specific tender development methods to deal with this scenario which set weightings according to constraints and evaluating in quality: price ratios, and identified fixed maximum budget for the service.	Low

		<p>The Extra Care contract will contain a clear set of KPIs which will be monitored.</p> <p>Care providers are also monitored by the Council's Quality Assurance team with issues discussed at the Care Governance Board with improvement plans being submitted to ensure that clear turnaround initiatives are implemented, where required.</p> <p>A suite of KPIs will be included within contracts and suppliers will be required to report against these.</p>	
Extending the current contract breaches public procurement rules	Low	Regulation 72 of the Public Contracts Regulations permits the relatively short contract extension in these circumstances	Low

3.4 Environmental implications

3.4.1 During the procurement process, potential suppliers will be requested to provide a copy of their environmental impact assessment and impact management measures.

3.4.2 The table below provides examples of environmental impact measures that affect Extra Care services:

Environmental Impact	Management Measures
Carbon emissions from staff travelling to work and between service user households.	<p>Staff recruitment centred on local residents thus reducing travel to work carbon emission footprint.</p> <p>Promotion or provision of bicycles for staff travel.</p> <p>Promotion of walking routes for rosters.</p> <p>Promotion of car sharing.</p> <p>Promotion of electric powered cars.</p>
Hazardous Waste management	<p>Promotion and support of service user recycling of household waste packaging.</p> <p>Infection control policies and procedures. Staff trained in infection control and incontinence waste storage and disposal. Use of incontinence waste removal service.</p>

Office and equipment waste management	Use of confidential paper shredding and recycling service. Use of recycled ink cartridges for printers. Recycle electronic equipment with ethical supplier. Reduce paper usage by using electronic alternative methods for communication e.g., electronic rostering and care delivery records.
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3.5 Equality implications

3.5.1 An Equalities Impact Assessment is set out at Appendix 1. Providers will be required to set out how they will meet equalities requirements through the tendering process. This includes meeting the diverse cultural and language needs within the borough and seeking to recruit sufficient male carers to meet demand.

3.6 Procurement implications

The following table sets out the options that have been considered in relation to the procurement route and strategy.

The following table sets out the options that have been considered in relation to the procurement route and strategy for the local Extra care services supply in Slough.

Procurement Strategic Approach	Consideration	Recommended
Use of Suppliers engaged through mini-competition stage on the ASC Dynamic Purchasing System (DPS)	<p>The approach allows for regular refresh of the list of contracted suppliers at any time, as and when required, via advertisement of mini competitions.</p> <p>New suppliers to the local market are engaged through application to join the DPS at any time with the knowledge that there will be opportunity to apply at mini-competition stage for supply contracts.</p> <p>Early engagement with suppliers successful on joining the DPS allows organisations to clearly understand service delivery requirements.</p> <p>The DPS also allows a time efficient process for specific specialist services to be procured.</p> <p>There are currently 160 providers registered to bid for call-off Contracts on the DPS, for care and support .</p>	<p>Yes.</p> <p>Offers time efficient and flexibility for refresh of suppliers for generic and specialist services.</p>
Open-market procurement	This option may increase new providers into this market.	<p>No.</p> <p>The Council has an effective mechanism for driving competition and</p>

Procurement Strategic Approach	Consideration	Recommended
		<p>seeking best value – the Adult Social Care Dynamic Purchasing System.</p> <p>A process for engagement has been undertaken to inform the Extra Care service model. The timetable for this exercise is compatible with adoption of the DPS contractual mechanism.</p>
Joint Procurement with other neighbouring local authorities/E Berkshire.	Neighbouring boroughs of Bracknell Forest and RBWM are not seeking a procurement of this service type at this time.	No.

Proposed Revised Procurement Timetable

This paper recommends use of the Adult Social Care DPS mechanism for securing Extra Care contracts required to start 1st September 2023. The below timetable is applicable for this purpose:

Event	Target Date
Cabinet authority to commence procurement.	19/12/2022
ITT issued on SE Shared Services E-portal (restricted due to use of DPS).	10/01/2023
Deadline for receipt of clarifications	19/01/2023
Target date for responses to clarifications.	25/01/2023
Deadline for receipt of Tenders.	07/02/2023 at 12 noon
Evaluation of Tenders.	08/02/2023 – 28/02/2023
[Presentations] – Proposed date if required.	To be scheduled
Lead Member Approval of Contract Award	15/03/2023

Tender Evaluation Report to Procurement Review Board	20/04/2023
Notification of contract award decision	27/04/2023
Confirm contract award.	12/05/2023
Start of TUPE consultation period.	01/06/2023
Target service commencement date.	01/09/2023

3.7 Workforce implications

3.7.1 Not Applicable.

3.8 Property implications

3.8.1 Not Applicable.

4. Background Papers

None

Appendix 1 – Equalities Impact Assessment

Directorate: People (Adults)	
Service: Commissioning	
Name of Officer/s completing assessment: Avtar Maan (AV)	
Date of Assessment:27/04/2022	
Name of service/function or policy being assessed: Externally Commissioned Integrated Care and Support in Extra Care Services	
1.	<p>What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?</p> <p>The provision of Extra Care services is a statutory requirement of the Council under the Care Act 2014. Extra Care workers provide personal care (such as support with getting up, getting washed, eating and drinking), non-personal care (such as support with shopping, household cleaning and laundry) and specific healthcare activities such as end of life care. Extra Care-enabled individuals continue to live independently in their own homes. This Equality Impact Assessment (EIA) will primarily assess possible effects on residents with protected characteristics. Additionally, this EIA assesses the possible effects of recommissioning of Extra Care services for all users and carers who either receive support directly or indirectly. The recommissioning exercise will not see an interruption in service. Individuals who require Extra Care services will not have any disruption to services provided – although they may experience some degree of change if the existing provider is not successful in re-tendering for services or does not re-tender.</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>Extra Care providers deliver services in the borough. Commissioning arrangements are managed through the Council’s People Strategy and Commissioning Team. Partnership arrangements are in place with social workers and the NHS.</p>
3.	<p>Who will be affected by this proposal? For example, who are the external/internal customers, communities, partners, stakeholders, the workforce etc. Please consider all of the Protected Characteristics listed (more information is available in the background information). Bear in mind that people affected by the proposals may well have more than one protected characteristic.</p> <p>There are 10 protected characteristics:</p>

	<ol style="list-style-type: none"> 1. Age including younger and older people 2. Disability 3. Gender reassignment 4. Pregnancy and maternity - No Impact 5. Race including ethnic or national origins, colour or nationality 6. Religion or belief including lack of belief 7. Sex 8. Sexual orientation 9. Marriage/civil partnerships No Impact 10. Carers protected by association <p>Individuals in receipt of Extra Care services may have one or more protected characteristics. It is a requirement that all providers delivering Extra Care have appropriate equalities' policies in place.</p> <p>All providers bidding for Extra Care will be required to be registered / to register with the Care Quality Commission. The Care Quality Commission standards set out that services must be able to meet specific cultural, language and spiritual/religious needs through personalisation of the care and support plan.</p>
4.	<p>What are any likely positive impacts for the group/s identified in (3) above? You may wish to refer to the Equalities Duties detailed in the background information.</p> <p>Extra Care services enable individuals to live at home independently as opposed to moving to alternative residential care accommodation. This supports participation in the community and a better quality of life.</p> <p>Extra Care also prevents the need for more expensive and sometimes less satisfactory residential care.</p> <p>Active market shaping in Slough means there are suppliers who have experience specific to the demographic of the borough. E.g., Culture and language, complex care needs, etc.</p> <p>The competitive procurement process will include evaluation of the proposed operational method statements in relation to meeting the needs of Slough's culturally diverse community and related service requirements such as language needs. There are specific challenges in identifying male carers and this will be identified in the ITT documentation.</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>It will be important that any cultural requirements are addressed through the tendering process.</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>In progress. However, previous work has been taken into account.</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>In progress, forums and workshops are planned before the specification is completed. Slough's co-production network will be engaged in the work. Creative Support Ltd have commenced a comprehensive survey with existing service users and their families / carers.</p>
8.	<p>Have you considered the impact the policy might have on local community relations?</p> <p>Ensuring sufficient supply of appropriate Extra Care services which meet the assessed needs of the population will have a positive impact upon community relations.</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>Any negative impacts will be addressed through the tender exercise and assessment of provider responses.</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>KPIs developed in partnership with community groups will be actively managed through contract management. These include service user protected characteristic profile monitoring, and reasons for unavailability of staffing/referral declination.</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 would 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).	

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Slough Borough Council

REPORT TO:	Cabinet
DATE:	19 December 2022
SUBJECT:	Department for Transport's Safer Roads Fund – approval for A4 scheme proposal
CHIEF OFFICER:	Richard West, Executive Director of Place and Communities
CONTACT OFFICER:	Misha Byrne, Transport Lead
WARD(S):	ALL
PORTFOLIO:	Cllr Nazir, Transport & Local Environment
KEY DECISION:	YES
EXEMPT:	NO
DECISION SUBJECT TO CALL IN:	YES
APPENDICES:	Appendix 1 - Speed reduction proposals, consultation map Appendix 2 - Tabled objections to proposed speed reduction Appendix 3 – Initial Equality Impact Assessment, Safer Roads Fund

Summary and Recommendations

The A4 in Slough was identified in 2016 as being in the UK's 50 most dangerous roads and SBC are required by Government to make changes to improve its safety. This report seeks approval to introduce road safety improvements on the A4 that will be funded by the Department for Transport's (DfT) Safer Roads Fund grant. A bid was submitted to the DfT in 2017, with the Council advised of a total grant award of £1.7m in 2018. Funds were allocated to the Council in March 2021.

A number of road safety measures will be designed and introduced to regulate driver behaviour. One of these measures is a proposed speed reduction on some sections of the A4 for which a consultation exercise has been undertaken and presented in this report. Additional complementary engineering measures, to reduce the number and severity of fatal and serious injury collisions, will be introduced as the overall scheme design progresses in consultation with residents, key partners and subject to the necessary approvals within the Council.

Recommendations:

The Cabinet is recommended to:

- a) Delegate authority to the Executive Director for Place and Communities, in consultation with the Lead Member for Transport and the Local Environment, to proceed with the statutory process to implement the speed restriction only for defined sections of the A4, having considered the consultation responses set out in this report and following consideration of any statutory objections.
- b) Agree for a further report in June 2023 to receive officer recommendations for final scheme design for other aspects to mitigate and support casualty reduction.

Reason:

Approving the recommendations set out in this report will enable the Safer Roads Fund's road safety measures to be implemented to ensure ongoing improvements to road safety and transport infrastructure in the Borough. The implementation of the road safety measures will contribute to reducing the number and severity of collisions on the A4 in Slough.

Commissioner Review

Commissioners support the proposals.

1.0 Report

The Safer Roads Fund was announced in the Government's 2016 autumn statement to improve the country's 50 most dangerous 'A' roads. The roads were identified in the Road Safety Foundation's report 'Making Road Travel as Safe as Rail and Air', which classed the A4 in Slough in the national list of 50 high-risk roads, using data supplied by the Road Safety Foundation.

The DfT's Safer Roads Fund objective is to facilitate a Safe Systems approach to harm reduction. This approach outlines that individuals are fallible, so some collisions will inevitably happen. Where individuals are subjected to collisions, the Safe Systems approach seeks to recommend appropriate interventions that will reduce the number and severity of those collisions. Therefore, using grant funding, it is possible to proactively manage risk on the network and take a holistic, strategic approach to risk reduction.

The identified route comprises the A4 between junctions 5 and 7 of the M4 through the Borough. While historical collision data informed the Department for Transport's (DfT) selection process, the approach to identifying specific sections for treatment used an assessment of hazards and road features via a bespoke software analysis of a road video (IRAP tool, International Road Assessment Model). No figures were provided stating specific risk rates, but an analysis of fatal and serious collisions was undertaken that showed 3 fatal and 44 serious collisions on this route in 2011-2015 (the data and period defined by the DfT at the time of the bid). For completeness, fatal and serious collisions between 2016 to February 2022 shows there were an additional 4 fatal and 42 serious collisions on the A4 during this latter period.

A review of the route using the bespoke software tool and methodology identified the following series of road safety measures to reduce risk and hazard removal:

- 30mph speed limit along appropriate extents of the A4 – to reduce the severity of collisions when they occur.

- average speed cameras – to monitor speed over a longer stretch of road and aid driver compliance.
- red-light camera systems – to detect speed and red-light violations as well as illegal turns and pedestrian crossing violations.
- road surface treatments – to improve vehicle grip particularly in adverse weather conditions.
- improved pedestrian and cycle crossings – for safe movement.
- removal of roadside hazards – improve visibility for all road users.
- decluttering - improve visibility and legibility for all road users.

Following the successful submission in 2017 of the Council's business case outlining the interventions to the DfT's Safer Roads Fund, Slough Borough Council was awarded £1.7m for a scheme to be introduced and profiled over a 2-year programme. Due to the pandemic, the DfT delayed payment of the grant allocation to March 2021.

Since the proposals were submitted as part of the application, several local and national priorities have changed. The grant funding will therefore be used, in part, to review the original plans and tailor the scheme to meet the changed environment, prior to implementation and subject to DfT approval. Planning for the SRF scheme will now include consideration of the £10.4m, awarded to Slough by Active Travel England (DfT, 2021), to deliver a dedicated A4 cycle route. There remain clear opportunities to synergise the Safer Roads fund road safety measures and A4 cycle route scheme implementation to maximise the borough's overall gains and reduce overall and respective delivery costs.

2.0 Background

The SRF project is specifically targeted at regulating driver behaviour and delivering road safety engineering interventions to reduce the number and severity of collisions along the A4. This proactive approach marks a change to the conventional road safety approach undertaken by the Council, which has previously prioritised funding at locations where incidents or a cluster of incidents has occurred. With the SRF scheme, the approach shifts to introducing preventative measures before a collision happens. Based on the Road Safety Foundation's analysis, there are 37 road sections assessed as being 'high-risk' and then 13 'medium-risk' road sections. The Council submitted the original proposal, which set out a benefit-cost ratio (BCR) of 8:1, estimating 54 fatal and serious injuries saved over 20 years. It is, however, essential that any proposed changes resulting from rerunning the IRAP model does not reduce the BCR safety rating. The revised programme of interventions will be submitted to the DfT for approval by January 2023.

The sections of the A4 with the highest risk are those with a 40mph speed limit as there are many uncontrolled junctions and entrances that could potentially lead to side-impacts with turning traffic. Given the limited space available it would not be possible to engineer out these conflicts. A proposal to reduce the speed limit to reduce the chances of serious injuries occurring in these types of collisions has been proposed and consultation results have been summarised (point 2.6).

Although speed compliance is currently good at peak times due to congestion, at other times free-flowing traffic speeds are high and a linked enforcement infrastructure will be put in place. Slough has experienced officers dealing with dual speed and red-light cameras and new technologies are also being considered for implementation. Away from the sections affected by speeds, the highest risks are posed by roadside hazards such as barriers together with isolated areas of poor road surface.

3.0 Proposed programme

A high-level approach to revise the outputs and proposed engineering interventions to deliver the SRF project includes:

Assess potential changes and priorities for the route

- The impact of the COVID-19 pandemic has shown the potential for active travel modes such as cycling and walking. There are increased incentives to deliver more sustainable and healthy transport modes where possible. Since the original plans were drawn up there have been new land use development plans approved which may also impact on traffic and safety along the route. These will be considered.

Review original scheme and consider changes to original proposals

- The original analysis and revised proposal will be submitted to the DfT. This will reflect any changes to the road, either implemented or planned since the original proposal, together with any new traffic or speed data.
- Traffic volumes and speeds for 2021 compared to 2016 (as used in the submission) have been analysed, with the road to be re-analysed in the iRAP ViDA tool with assistance from consultants and the Road Safety Foundation who are the UK experts in the use of the software.

Public Consultation Exercise

- A consultation exercise around the proposed counter-measures will be undertaken with relevant businesses, communities and members of the public and councillors as the scheme is designed in full.
- One consultation has been undertaken for the proposed changes to speed limits on defined sections of the A4 (Appendix 1) and undertaken between 26 August and 7 October 2022.

Commercial activity to procure specialist suppliers and award contracts

- To deliver specialist work related to scheme delivery, a procurement exercise will be undertaken. SBC will look to the market to offer innovative and cost-effective solutions. Where possible, small to medium enterprises will be encouraged to participate in the tender process, subject to meeting SBC's contract procedures.

Deliver scheme outputs

- Scheme delivery will be undertaken by the Council's Direct Services Organisation (DSO).
- A procurement exercise will be undertaken for delivery of specialist work that cannot be delivered by the DSO.

Monitoring and Evaluation

- A project manager will be responsible for tracking benefits and reporting any exceptions to the DfT/ Members, monitoring during implementation and ensuring that mitigation measures identified in the risk register are undertaken and adhered to.
- 'Before' speed surveys and collision data analysis have been undertaken. These provide a baseline for establishing if the scheme has been a success once implemented, when further surveys and analysis will be undertaken. Outcomes will be monitored one year post implementation. Findings will continue to inform the Council's strategic approach to Road Safety.

3.1 Speed reduction consultation

One of the proposed measures (in the suite of proposed measures) is to reduce speed limits on the A4 (Appendix 1, consultation map). A consultation was carried out between 26 August and 7 October 2022. Five sections of the A4 were identified and tabled as below. The Council received 119 responses in total, with 108 respondents (over 90%) using the car as their main mode of transport.

3.2 Statutory consultees' response

Two statutory consultees responded to the consultation to reduce speeds on defined sections the A4. These included:

- South Central Ambulance Service remain in favour of the proposals.
- Thames Valley Police (TVP) are satisfied to approve the speed limit changes to all sections, except Section 4 (Colnbrook by-pass), as sufficient speed data was available. However, TVP have presented an alternate approach for Section 4 which is to introduce a temporary traffic regulation order to test the approach before making permanent.

3.3 Summary of overall responses

Most respondents did not want changes, they did not want a speed reduction for sections 1, 3 and 4 and wanted to retain the speed limit for sections 2 and 5.

Section	Support	Not sure	Do not support	Not answered
Section 1: Between the western borough boundary near Huntercombe Lane North / South and the junction with Twinch Lane / Galvin Road – reduce speed limit from 40mph to 30mph	15.97%	2.5	77.31	4.2
Section 2: Between the junction with Twinch Lane / Galvin Road and Fox Road – retain existing 30mph speed limit	78.65	9.24	21.01	4.2
Section 3: Between Fox Road and the Colnbrook By-Pass near Sutton Lane – reduce speed limit from 40mph to 30mph	18.49	2.52	74.79	4.2
Section 4: Between the Colnbrook By-Pass near Sutton Lane and Lakeside Road – reduce speed limit from 60mph (national speed limit) to 40mph	15.97	6.72	87.73	4.2
Section 5: Between Lakeside Road and the eastern borough boundary at the M25 bridge – retain existing 50mph speed limit	71.43	10.08	14.29	4.2

Table 1 Objections summary per section

Objections to the scheme can be found in full in Appendix 2 which includes officer response(s) to the specific points raised. The key themes that emerged through this consultation include:

- The need for a better **use of funds**. The Safer Roads Fund scheme is fully funded by a central government grant and to be used to reduce the number and severity of accidents occurring on the A4. Funds will be managed in line with all financial and procurement requirements.
- Comments included a **lack of accident data** to prove the case, however, this scheme is proposed as a series of road safety interventions to *prevent* accidents occurring or reducing the severity of accidents should a collision occur. The A4 was identified as one of the 50 most unsafe roads in the country, based on an evaluation of risk by the Road Safety Foundation. There is a proven relationship between

motor vehicle speed and the number and severity of injuries and collisions¹. The proposed speed changes therefore represent a step toward influencing driver behaviour and establishing 30mph as the default speed along the A4.

- An underused **bus lane** on the A4 was mentioned. While outside the scope of the Safer Roads Fund project, the bus lanes are part of a package of measures that will encourage take up of sustainable modes. All modes must be balanced across the road network to meet the needs of residents. Improving bus services offers an important means to reduce congestion in Slough however, bus services are a commercial concern and Operators will choose to run a bus service if it is profitable. Officers are continuing to look at ways that bus services can be improved where funding permits, working with Operators through the Bus Services Improvement Plan and Enhanced Partnership.
- **Enforcement** was considered a means of raising revenue for the Local Authority. Thames Valley Police enforce speeding and retain any revenue raised through speeding fines. The SRF scheme includes measures such as installing enforcement infrastructure (cameras) to aid compliance.
- The scheme's potential contribution to increased **air pollution** was raised. Research into lower speeds has identified that stop/start driving conditions (from high speed to lower speed) could increase pollution through wear and tear of tyres however many variables impact on pollution levels². It is essential to note that lowering speeds on the A4 will support the strategic aim of reducing congestion, and instil confidence in people to cycle and walk for their shorter journeys. The health benefits of slowing traffic to encourage active and sustainable travel choices is greater than any disbenefits occurring as a result of increased congestion levels.

A speed reduction would be supported by additional engineering and enforcement measures. While these measures are being designed, temporary Vehicle Activated Signs will be deployed to ensure motorists are aware of any agreed change to speed limits.

4.0 Strategic alignment

4.1 Corporate and Recovery Plan

A series of road safety engineering measures will be introduced to include speed limit reviews, enforcement solutions (i.e. installation of cameras), and upgrades to crossing facilities, road surface treatment and removal of roadside hazards including decluttering. These improvements will also complement the A4 cycle scheme currently being designed through the introduction of measures that seek to reduce risk for all road users.

Delivery of the SRF project will contribute to the overarching reduction in Killed and Seriously Injured (KSI) in the borough. In addition, the scheme will uphold the following Corporate and Recovery Plan priorities including:

- ***A council that lives within our means, balances the budget and delivers best value for service users, taxpayers*** by using external funding and applying this effectively to deliver best value that contributes to the support, delivery and monitoring of safe and sustainable transport infrastructure.

¹ Brake, Road Safety Charity, speed and injury

² Transport for London, Achieving lower speeds: the toolkit,

- ***An environment that helps residents live more independent, healthier and safer lives*** by reducing danger on the network, improving the reliability of the network and supporting increased take up of sustainable modes of transport.
- ***A borough for children and young people to thrive*** by implementing and maintaining road safety measures that delivers safer crossing points, reduced speeds and encourage our young residents to walk and cycle more
- ***Infrastructure that reflects the uniqueness of Slough's places*** by supporting sustainable growth and regeneration that includes removing dangers, enhancing transport options and enabling safe movement through the borough.

4.1 Local Transport Plan

Improvements to road safety would enhance east-west active travel links in the Borough, helping to reduce reliance on personal car use, and create safe and improved walking and cycling routes for our residents.

The scheme is supported by wider local Council policy including the **Local Transport Plan** where local sustainable modes and road safety are prioritised and congestion mitigated. Slough's more recently developed **Transport Vision and Strategic Infrastructure Implementation Plan (2020)** describes priorities relating to the need to mitigate rising congestion levels that are stifling local economic growth. Making sustainable transport the first choice of transport and creating environments which put people first in terms of movement and space, are key objectives. This scheme is aligned with these.

5.0 Implications of the Recommendation

5.1 Financial implications

The Council is in receipt of the SRF grant funds to a total value of £1.7m for the A4 route. The finance team will be engaged throughout the delivery programme in line with the monthly capital budget monitoring process.

Any financial risks will be addressed to avoid, mitigate or reduce risk. Where this is deemed not possible, the scheme's scope will be reduced to lower costs without significantly compromising the core outcomes. Any required changes will be agreed with the DfT.

The proposed strategy for delivery of the construction phase of the scheme will be through the Council's Direct Service Organisation (DSO).

There are no ongoing revenue implications and where possible the project will seek to reduce maintenance liabilities by removing infrastructure that is repeatedly damaged.

There is budget within the capital programme for the expenditure of £1.7m on the scheme, assumed fully funded by the grant as outlined above. Currently this has been rephased such that £0.2m is budgeted for 2022/23 and £1.5m for 2023/24. Should more be required in 2022/23 then budget will be drawn from the 2023/24 period.

5.2 Legal implications

- The Traffic Management Act 2004 (Section 16(1)) imposes a Network Management Duty to ensure that Slough Borough Council secures the expeditious movement of traffic on the authority's road network and facilitates the expeditious movement of traffic on road networks for which another authority is the traffic authority.
- The Council must have regard to the statutory guidance issued by the Secretary of State for Transport under section 18 of the Traffic Management Act 2004 to deliver their network management duty under the Traffic Management Act 2004. This includes guidance on engagement and consultation. Accessibility requirements and the Public Sector Equality Duty apply to all measures, both temporary and permanent. In making any changes to their road networks, authorities must ensure that elements of a scheme do not discriminate, directly or indirectly and must consider their duty to make reasonable adjustments anticipating the needs of those with protected characteristics, for example, by carrying out equality impact assessments on proposed schemes. Engagement with groups representing disabled people and others with protected characteristics should be carried out at an early stage of scheme development.
- Road Traffic Act 1988 Section 39(2), Traffic Signs Regulations and General Directions 2016. To prepare and carry out a programme of measures designed to promote road safety.
- The consultation must be at a time when proposals are still at a formative stage. The Council must give sufficient reasons for any proposal to permit of intelligent consideration and response. Those consulted should be aware of the criteria that will be applied when considering proposals and which factors will be considered decisive or of substantial importance at the end of the problem. Adequate time must be given for consideration and response. The product of consultation must be conscientiously taken into account in finalising any statutory proposals.
- The Equality Act 2010 enacts a single general public sector equality duty (PSED) under section 149, which applies to public authorities exercising public functions.
- All service contracts over £100,000 must be sealed and contract documentation will be reviewed by HB Public Law.
- All the Traffic Regulation Orders and Notices required for the proposals will be made under the Road Traffic Regulation Act 1984 and all other enabling powers.

5.3 Risk management implications

<i>Description of risk</i>	<i>Risk/Threats/Opportunities</i>	<i>Proposed future controls</i>
Procurement	<p>The Tender prices may exceed budget allocation available.</p> <p>Delays to the construction programme or contractor default</p>	<p>This risk will be actively monitored and managed and any significant changes to the scope of the programme will reported to the Lead Member, Senior Management and the DfT</p> <p>Appoint an established contractor with proven financial probity via a robust procurement process. Progress against the project programme to be scrutinised by project manager/board.</p>
Finance	<p>The total allocation remains at £1.7m. With revisions to the programme and outputs, costs may exceed this total. Inflation due to national/international events may impact costs.</p>	<p>Ongoing communication with the DfT will be undertaken to advise of agreed measures to be contained within the funding envelope.</p> <p>Appropriate project management and robust cost estimating will ensure that costs are as indicated and there is flexibility within the scheme to reduce the number of countermeasures used or to reduce the scope and associated costs of the scheme.</p>
Scheme delivery team capacity	<p>Delays during design stage</p> <p>Lack of resource within Slough DSO to install scheme</p>	<p>Designs will be separated out for different functions to avoid overloading one contractor/consultant.</p> <p>Major Project scheme delivery forecast to reduce by December 2022 and releasing capacity in DSO to deliver future works. Works will also limited to minor works such as kerb and preparation for traffic signals etc.</p>
Community Support	<p>Unfavourable response to wider public consultation</p>	<p>Programme allows for detailed design to be modified where necessary to meet specific objections. However, some objections cannot be overcome such as speed limits. These will be managed through good Communication with councillors and residents.</p>

Table 2 Risk Management

5.4 Environmental implications

The SRF scheme is expected to reduce congestion through improvements to signals phasing and will be delivered in a parallel with the A4 cycle scheme currently in development. Of note is that lowering speeds on the A4 will support aims of reducing congestion, by instilling confidence in people to cycle and walk for their shorter journeys. The health benefits of slowing traffic to encourage active and sustainable travel choices is evident (NICE, guidance, active travel). Making the A4 a consistent 30mph will result in fewer accelerations and decelerations, so contributing to an improved environment. Previous research into lower speeds (Transport for London) identified that stop/start driving conditions (from high speed to lower speed) could increase pollution through wear and tear of tyres.

5.5 Equality implications

SBC recognises its duties under the Equalities Act 2010 an Equalities Impact Assessment must be prepared as part of the scheme development process under section 149 of the Equality Act 2010 (EqA 2010)

An initial Equality Impact Assessment has been undertaken (Appendix 3), that will be further developed as the scheme progresses to identify, and mitigate against any potentially adverse equality impacts arising in the work programme.

The scheme's intention is to reduce inequalities in mobility to better cater for safe and equal access to key amenities for all users. Currently, the streetscape of the A4 is dominated by an overreliance on the private car, with wide carriageways carrying high levels of traffic; subsequently, reducing journey ambience for pedestrians and cyclists. Similarly, the quality of, and access to bus facilities for bus passengers require improvement. To address this, the SRF recognises that vulnerable road users are at higher risk of danger and therefore prioritises pedestrians and cyclists, followed by public transport users and then motorists; the scheme would address this through redefined road-space, regulating driver behaviour and improving pedestrian and cycling facilities amongst other related measures.

5.6 Procurement implications

The Council does not intend to outsource project work to third parties beyond specialist activities for design measures such as using cameras for enforcement purposes. Where possible, the Council will take advantage of new technologies and innovations in the market relating to these types of road safety measures. A full procurement exercise will be undertaken to ensure continued value.

For procurements with an anticipated value above £25,000, a detailed business case will be prepared and submitted for review to the board consisting of Procurement, Legal and Finance representatives before submission for approval following the Application and Authorisation table contained within the Contract Procedure Rules

5.7 Workforce implications

There are no workforce implications

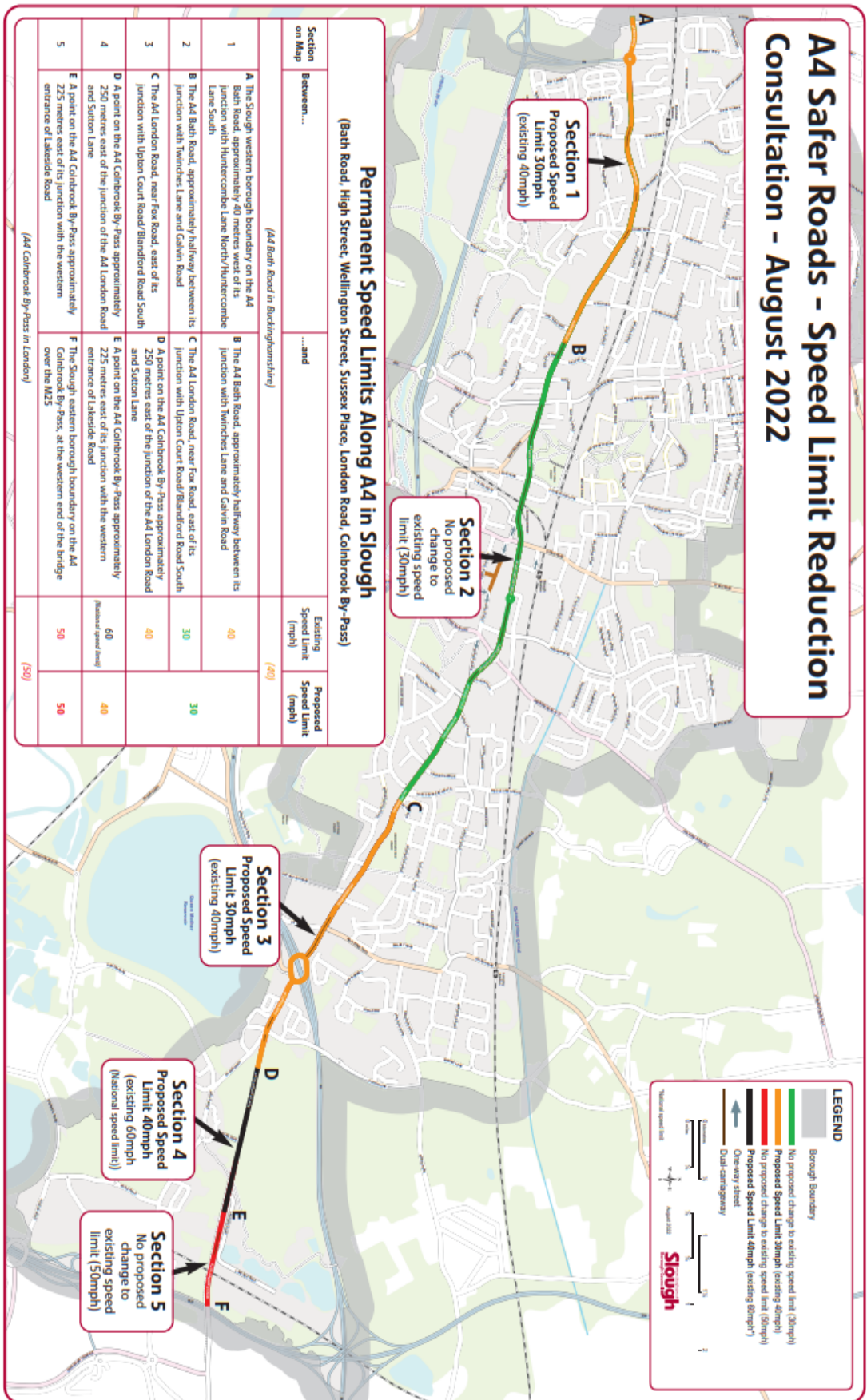
5.8 Property implications

None

6.0 Background Papers

Transport for London, Achieving lower speeds, the toolkit
IRAP toolkit – safer roads treatment <https://toolkit.irap.org>
Safer Roads Fund, Road Safety Foundation:
<https://roadsafetyfoundation.org/project/safer-roads-fund/>

Appendix 1: Speed reduction proposals, consultation map



Appendix 2: Objections to speed reduction proposal (5 sections of A4)

Statutory Consultee Responses	Officer comments
<p>South Central Ambulance Service No objections, SCAS support this application.</p>	<p>Thank you for responding</p>
<p>Thames Valley Police (TVP)</p> <p>Section 1: A4 Bath Road reduction of the speed limit to 30mph. The speed data tends to support that good conformity will be achieved. TVP will not oppose the proposal.</p> <p>Section 3: A4 London Road reduction of speed to 30mph. Speed data indicates the average speed is in line with current DfT guidance on setting local speed limits. However, the 85% shows that conformity maybe an issue. At this time TVP will not oppose the proposal but recommend monitoring after installation of the limit and consideration should be made to engineering solutions to achieve conformity rather than relying on enforcement to achieve the aims.</p> <p>Section 4: A4 Colnbrook By-pass reduction in speed to 40mph. There is no speed data relevant to this section of road. The speed data provided is relevant to the 50mph limit already installed and shows good conformity. At this time without any relevant data TVP will have to oppose the introduction of a 40mph limit as it is unlikely that without any major infrastructure changes to the nature of the road or repairs to the existing infrastructure to bring it up to standard that a statistically significant reduction of collisions could be achieved. However, TVP are concerned about the Colnbrook By-pass and want to work with Slough TA to achieve safer roads but have raised safety issues around the nature of the road, maintenance around central islands, lighting and markings. TVP suggest the introduction of a temporary speed limit of 40mph under Road Traffic Regulations Act 1984, section 88, in the interest of safety. This order can be in place for 18 months and can be made permanent if</p>	<p>Thank you for your comments and we look forward to receiving further comments and discussion in due course</p> <p>Section 4: This scheme is based on the removal of risks to reduce the severity of any collisions. Additional and proportionate measures will be introduced if identified through the IRAP model. We will continue to fully engage with TVP and will introduce appropriate measures.</p> <p>Road maintenance is outside the scope of this project, although surface treatments have been identified in IRAP as one measure that could be deployed.</p> <p>Thank you for your suggestion around the introduction of a temporary speed limit to assess the impact of the change. This will be considered in collaboration with TVP and introduced if appropriate.</p> <p>The Council is committed to working with its partners to improve Road Safety. This scheme relates to removal of risks and hazards and the evidence used for assessing this is not the same as our usual Road Safety approach.</p> <p>Measures to ensure the scheme is self-explaining and compliance will be assessed, costed, and deployed where appropriate.</p>

Statutory Consultee Responses	Officer comments
<p>necessary. Speed limits cannot be made under experimental orders, section 3 RTR Act 1984 prevent this.Or alternatively a 50 mph limit, joined up to the existing limit may have positive results.</p> <p>Speed limits should be evidence based, self-explaining and encourage self-compliance.</p>	
<p>Surrey County Council We have no objection to your proposals as set out in the consultation material.</p>	Thank you for responding

Other responses	Officer comments
<p>Two respondents felt that the bus lanes should be 24hrs because some drivers use the bus lane to 'undertake' when it is not in operation and such incidents may increase with a slower maximum speed?</p>	<p>Initial experience of 24hr operation led to a review. A paper was considered at Scrutiny Committee and a decision was made at Cabinet in January 2022 to move to part time only. This aspect will be kept under continual review.</p>
<p>Two respondents felt that there is no evidence that shows the existing speed limits contribute to accidents or safety hazards. No data has been supplied.</p> <p>One stated that we should use accident black spot data to inform our decisions</p> <p>One respondent felt that the design of the road is perfectly safe to keep the existing speed limit.</p> <p>One respondent questioned whether the SMART motorway work and the numerous closures of the M4 has seen increased use of the A4 and whether this is responsible for the accidents/collisions during the study period.</p> <p>Two respondents felt that the scheme would not achieve its objective of making the A4 safer.</p> <p>Two respondents thought that reducing the speed limit wasn't necessary but gave no reason.</p>	<p>The Safer Roads Fund was announced in the Government's 2016 autumn statement to improve the country's 50 most dangerous 'A' roads.</p> <p>The roads were identified in the Road Safety Foundation's report 'Making Road Travel as Safe as Rail and Air', which classed the A4 in Slough in the national list of 50 high-risk roads, using data supplied by the Road Safety Foundation.</p>
<p>Fourteen respondents felt that reducing speed limits will increase journey times</p>	<p>The scheme is intended to balance the needs of all road users, not just motorists.</p>

Other responses	Officer comments
<p>and the volume of traffic on the road at any one time, increasing pollution. Idling vehicles increase the level of pollution.</p> <p>Of these, two thought this would build frustration which would lead to more accidents</p>	<p>Making the A4 a consistent 30mph will result in fewer accelerations and decelerations which contributes to an improved environment and align to our strategic objectives to support sustainable travel options.</p>
<p>One respondent noted that the speed limit proposals do not result in fewer motorised vehicles.</p>	<p>The purpose of this proposal is to improve the safety of the road for all road users</p>
<p>Three respondents commented that the bus lane is not used.</p> <p>Two commented that the poor frequency of buses, the time bus travel takes, and the lack of destinations served by buses is insufficient to encourage motorists to change their travel behaviours.</p> <p>One wanted bus frequency to increase by 4x and for the bus service to be free, feeling that running a car was cheaper than using a bus</p> <p>Two commented that the bus lane is a shambles with one of these feeling that it was a particular problem for the school run and in rush hours</p> <p>One specifically identified that the Bus Lanes had significantly increased the time that it gets to work and that public transport was currently not a viable alternative as it required 3 different buses or 4 trains</p> <p>One cited that a 15 minute journey to the Doctors now takes 40 minutes since the introduction of the bus lanes</p>	<p>Bus services are a commercial concern and Operators will choose to run a bus service if commercially viable.</p> <p>This is more likely to be the case where travel times are reduced and are reliable – this is a key objective of the bus lane.</p> <p>We are continuing to look at ways that bus services can be improved through the Bus Services Improvement Plan and Enhanced Partnership</p>
<p>Two respondents felt that the reduction of speed on the main arterial route will lead to motorists using other routes, leading to traffic congestion, increased air pollution in residential areas and more accidents in those areas where there is greater density of population including safe routes to schools being adversely affected.</p>	<p>Motorists have the option of using the M4 if they wish to travel at higher speeds.</p> <p>The A4 remains a local road, where all road users' needs must be balanced.</p> <p>Reducing speed on the A4 will not prevent motorists from using this route.</p>
<p>One respondent felt that the introduction of bus lanes was driven by a desire to secure income via traffic cameras rather than being a proper attempt to change people's</p>	<p>The introduction of bus lanes are completely in line with the Council's Bus Service Improvement Plan (BSIP) which is</p>

Other responses	Officer comments
behaviours to use other means of public transport or active travel.	aimed at improving use of buses as part of a sustainable approach to transport.
Two respondents felt that the reduction on speed limits was designed to increase revenue by charging for speeding offences	Enforcement of speed limits is undertaken by the Police. Introducing a consistent speed on the A4 will make the route clearer and easier to understand. SBC does not receive any funding in relation to speeding offences.
Two respondents noted that road safety could be improved by better design of the road layout such as reducing the number of uncontrolled right-hand turns, reduce the road to one lane on one side and putting traffic calming measures in place.	Reducing the speed limit is part of the solution. Redesigning road layout could also contribute to improving safety and measures other than reducing speed limits will be proposed to improve road safety on the A4 that are within the scope and funding for this project.
Two respondents felt that all that we would achieve would be to anger the public	It is essential that all road users are protected, and their needs balanced.
One respondent, who drives for a living and has no choice what times the car is driven, felt that reducing the speed limit would worsen congestion and noted that all the surrounding roads were heavily congested at peak times.	<p>The scheme is intended to balance the needs of all road users, not just motorists. This proposal does not prevent motorists from using the A4, it introduces a consistent speed to reduce the number and severity of any collisions.</p> <p>Congestion remains a problem in the borough that we are trying to address through providing a range of sustainable travel options.</p>
<p>One respondent felt that we should allow faster speeds at quieter times as fuel consumption is less efficient at speeds below 60mph</p> <p>One asked that we make sure speed limits are policed as it sounds like a racetrack at night.</p> <p>One suggested that introducing lower speed limits would put those who complied in danger because others wouldn't slow down.</p> <p>One asked what guarantee is there that people will adhere to the new speed limit</p> <p>Three respondents welcomed reduced speed limits. This will stop fast erratic driving.</p> <p>One respondent requested more enforcement.</p>	<p>Enforcement of speed limits and other driving offences is undertaken by the Police.</p> <p>Introducing a consistent speed on the A4 will make the route clearer and easier to understand.</p> <p>The Council does not receive revenue from speeding enforcement.</p>

Other responses	Officer comments
<p>Speed alone does not cause accidents. Quality of driving, using mobiles and unlicensed vehicles are also a problem</p>	
<p>Four respondents felt Slough has a poor traffic / road system which was holding back Slough</p> <p>One of these stated that it is no longer viable to operate their business as customers don't now come into Slough.</p> <p>One felt that trade now goes elsewhere along the M4 and avoids Slough</p>	<p>SBC has set out strategic objectives to support sustainable travel options.</p> <p>We are developing an Economic Development Strategy to attract businesses and customers to slough.</p>
<p>One respondent suggested air quality monitoring, noting that this needed to take account of air traffic, both before and after implementation.</p> <p>One felt that there was no evidence that slower speeds benefited air quality and that cars stood stationary was worse for local air quality</p> <p>One suggested that the statistics that SBC has regarding pollution was taken during the lockdown and doesn't reflect the reality.</p>	<p>Air Quality is continuously monitored and will be modelled for this scheme and other transport schemes to measure impact.</p> <p>The reduction in speed limit is part of making the A4 safer when there is free flowing traffic</p>
<p>One respondent suggested the introduction of cameras at box junctions to incentivise considerate driving citing the yellow box junction at Langley High Street / London Road as a good location to have such a camera.</p>	<p>The outcome of the scheme will be monitored. The potential use of cameras to prevent junctions from being blocked will be explored.</p>
<p>It is important road users can clearly see the new speed limit with plenty of signage.</p>	<p>The scheme will be consistently signed and marked.</p>
<p>Six respondents felt that, given the Councils financial position, that the money should be spent on something else</p>	<p>The Safer Roads Fund scheme is fully funded by a central government grant and to be used to reduce the number and severity of accidents on the A4.</p>
<p>If we had fewer cars on the road there would be fewer injuries</p> <p>Two respondents thought we need strategies to accommodate more cars on the road. One of these felt that very few people wanted to cycle.</p> <p>Two respondents said that they would use their car no matter what</p>	<p>SBC are working to reduce car usage and to encourage alternative means of travel but the aim of this scheme is to save lives</p>

Other responses	Officer comments
Accidents at 30mph still injure people	Yes, but significantly less so than at higher speeds.
One respondent felt that this would encourage people to use the M4	Motorists wishing to travel at a faster speed should utilise the M4.
Two respondents asked that SBC consider removing the bus lanes from parts of the A4	SBC has set out strategic objectives to support sustainable travel options.
One respondent whether SBC took account of consultation responses	All consultation responses have been considered, are summarised in this appendix, and will be discussed before Cabinet make their decision
One respondent complained that the road works in Langley Village and Brands Hill have taken too long, and that road works themselves cause delays and pollution	There are many factors to take into account when carrying out road works but it is everyone's interest that the shortest practicable time is taken to complete them
<p>One respondent requested that the A412 Uxbridge Road have a reduction of the current speed limit from 40mph to 30mph.</p> <p>One respondent requested 20 is plenty for Colnbrook</p>	<p>The A4 was identified in the Road Safety Foundation's report 'Making Road Travel as Safe as Rail and Air', which classed the A4 in Slough in the national list of 50 high-risk roads, using data supplied by the Road Safety Foundation. Government funding is for these 50 priority locations.</p> <p>Safety on the A412 Uxbridge Road will be kept under review, along with all roads in Slough.</p>
One respondent requested lower speed limits on the section between Lakeside Road and the M25 and a 24hr bus lane along the Colnbrook by-pass	The Council will continue to evaluate speeds and demand for bus infrastructure before it can determine whether the speed limit and a bus lane can be introduced on the by-pass.

Appendix 3: Initial Equality Impact Assessment

Directorate: Place	
Service: Place and Communities – Transport / Road Safety /	
Name of Officer/s completing assessment: Misha Byrne	
Date of Assessment: 18 November 2022	
Name of service/function or policy being assessed: Safer Roads Fund, Speed Reduction on defined sections of the A4.	
1.	<p>What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?</p> <p>The government grant funded Safer Roads Fund (SRF) grant totals £1.7m. The Department for Transport invited proposals from eligible local highway authorities to improve safety on specific sections of local ‘A’ roads where the risk of fatal and serious collisions is highest. The analysis was undertaken by the Road Safety Foundation that identified within Slough the following roads were eligible:</p> <ul style="list-style-type: none"> • The A4 through the borough, between junctions 5 and 7 of the M4. <p>The aim of the Safer Roads Fund scheme is to reduce death and serious injury on the A4, through a systematic assessment of risk and identifying hazards on the route that can be addressed by the introduction of a range of road safety measures and improvements.</p> <p>The SRF presents an opportunity to establish a pro-active strategic approach to route improvements. The SRF is a new approach to contributing to the Council’s road safety work and mitigating the hazards identified by the Road Safety Foundation. This approach differs from the Council’s usual road safety approach which is to target limited funding to address ‘accident hotspots’. The SRF grant enables officers to take a holistic overview of risk and mitigate these at source to reduce the severity of accidents.</p> <p>Road safety improvements remains critical to improving the perception of the borough’s roads to enable greater take up of use of sustainable modes particularly walking and cycling. Traffic accidents continue to contribute to increased congestion which can hinder economic productivity. Potential benefits of the scheme includes creating a more inclusive environment and reducing road danger with the potential to enable more people to participate in active travel.</p> <p>The scheme is supported by wider local Council policy including the Local Transport Plan where local sustainable modes and road safety are prioritised and congestion mitigated. Slough’s more recently developed Transport Vision and Strategic Infrastructure Implementation Plan (2020) describes priorities relating to the need to mitigate rising congestion levels that</p>

	<p>are stifling local economic growth. Making sustainable transport the first choice of transport and creating environments which put people first in terms of movement and space, are key objectives. This scheme is aligned with these.</p> <p>The safe movement of people on the network has long been a priority in order to deliver an integrated, sustainable transport solution in and across the borough.</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 SRF is a shared programme in terms of design stages and partnership working although Slough Borough Council, Transport team will deliver the SRF.</p> <p>Subject to feasibility, funding and consultation, the proposed measures will be delivered jointly, thorough a working group including external partners such as Thames Valley Police, emergency services and the Road Safety Foundation. However, ultimately, Slough Borough Council has responsibility for leading the development of the design and submission to the Department for Transport (DfT) for approval.</p> <p>The development of the SRF will be overseen by the Transport team in the Place directorate, working closely with Highways colleagues. Responsibility for regular progress reviews, liaising with the partners and stakeholders and all related administrative activities lies with the Transport team.</p> <p>The DfT is responsible initially for reviewing the proposals alongside the Road Safety Foundation. Subsequently, the DfT will also be reviewing scheme specific proposals that will be set out. Funding has already been set out to facilitate the delivery of the proposed schemes and measures.</p>
3.	<p>Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.? Please consider all of the Protected Characteristics listed (more information is available in the background information). Bear in mind that people affected by the proposals may well have more than one protected characteristic.</p> <p>SBC will work closely with the Road Safety Foundation for much of the analysis. The measures being proposed have not at present involved the local community as much of the improvements are unlikely to require material change to the road. Where new signals and Traffic Orders are suggested then they will be consulted on in the design stage.</p>

The consultation materials will be available on SBC's website consultations pages and hard copies available if required. Local groups with an interest in these improvements will be consulted.

In particular the measures are intended to lower speeds and provide more forgiving roadside infrastructure in the event of an accident. There will be some specific improvements for pedestrians and other vulnerable road users, including those with visual or mobility impairments. The overall expectation is that this proposal will lead to improvements for all who use the A4 in Slough, with wider benefits for all. However, it is acknowledged that road safety improvements are required to protected vulnerable road users and relied upon by certain protected groups more than others. The relevant groups are expected to be affected as follows:

Age:

A more inclusive street environment and reducing road danger has the potential to enable more people to participate in active travel. Children are particularly impacted by poor air quality at the roadside and also vulnerable to road danger.

Race:

Ethnic minority groups are over-represented in indices of deprivation and more likely to be exposed to transport related harmful impacts such as traffic collisions, poor air quality and health inequalities.

Disability:

Public realm/road network has the effect of excluding disabled people. The proposal will seek to address this for example by establishing clear pedestrian crossing points, or a safe cycle route with improved crossing points can improve mobility and access for disabled people.

Lower Income Groups:

This group is less likely to be working from home, less likely to have access to a private vehicle and so more likely to need to walk/cycle in a safe environment.

Pregnancy and maternity:

There may be some specific impacts for this category, relating to access to healthcare and facilities for parents and also young children, particularly as pedestrians.

Religion and Belief:

Generally speaking, there are no specific impacts here. However, there may be some impacts, including better access to places of worship.

Gender Reassignment:

No specific impacts associated with this category.

Marriage and Civil Partnership:

No specific impacts associated with this category.

Sex:

No specific impacts associated with this category.

Sexual orientation:

No specific impacts associated with this category.

4. **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.**

The proposed changes will provide safe and affordable travel options to people from all demographic and socio-economic backgrounds. This is essential in improving equity in access to transport. Motor vehicle movements will change as a result of enforcement, educational and engineering measures once the SRF scheme has been completed. The intended benefits include a change in traffic movements and flow, with an associated improvement to air quality. Also, an expected improvement to an individual's ability to move through the area safely and improved access to sustainable modes.

The short, medium and long term outcomes for all groups have been tabled below.

Program: Safer Roads Fund Bid, A4 Slough **Logic Model**

Situation: The A4 in Slough between junctions 7 and 5 have been identified as being in the top 50 most high risk roads in England. Our proposal is to raise the iRAP star ratings for vehicle occupants and vulnerable road users (VRU) to three stars along the majority of this route. Following the safe system approach we propose to target killed and seriously injured casualties by eliminating potential high risk situations

Inputs (Resources)	Outputs		Outcomes – Impact		
	Activities	Participation	Short	Medium	Long
<ul style="list-style-type: none"> Project Manager SRO Project Board and regular meetings Slough Borough Council DfT Funding Slough Borough Council Capital Finance Board <u>iRAP</u> VIDA Tool RAPTOR Tool STATS 19 data and re-establishment of baselines in light of KSI reporting and CRASH Evaluation of risk provided by RSA 	<ul style="list-style-type: none"> Speed limit review Enforcement cameras Removal of Roadside hazards Update pedestrian crossing facilities to improve pedestrian compliance Surface rehabilitation to improve friction in key locations 	<ul style="list-style-type: none"> Project Board Council members Senior Officers of the council Thames Valley Police RSA Road users groups from the community 	<ol style="list-style-type: none"> Reduction in vehicle speeds Improved compliance with traffic signals by drivers and riders Improved crossing behavior by pedestrians Fewer shunt collisions Better safety perceptions for all road users 	<ol style="list-style-type: none"> Raise the <u>iRAP</u> star rating for vehicle occupants and VRU's to 3 stars along the majority of the route. Increase the number of sustainable journeys by cycle and foot Increased access to business premises 	<ol style="list-style-type: none"> Reduce the severity of collisions along the route Reduce the number of collisions along the route Fewer delays and improved journey time reliability Reduce damage to infrastructure Reduced vehicle emissions

Assumptions: Much of the work will be carried out in the first 18 months of the scheme; the individual proposals do not cover the entire length of the route; a different approach will be used according to the risks and mix of road users in each section.

External Factors: Other major projects are planned in the area over the coming months and are excluded from this bid. Enforcement levels are controlled by TVP

Impacts by Group

Age:

Improvements to safety and air quality will benefit children significantly through scheme improvements enabling a higher proportion of this group to cycle and walk to and from school in particular. Children are particularly impacted by poor air quality at the roadside and are also vulnerable to road danger, both of which the proposal aims to address. The proposals offer the potential for more physical activity, including play, in areas where facilities may be limited, offering the potential to address issues of obesity and well-being.

Race:

Ethnic minority groups are over-represented in indices of deprivation and more likely to be exposed to transport related harmful impacts such as traffic collisions, poor air quality and health inequalities. The proposal will help address these impacts while also improve access to active travel participation by improving the physical environment and reducing the perception of danger on the network that can be a barrier to take up of sustainable modes.

Disability:

Public realm/road network has the effect of excluding disabled people. The proposal will seek to address this for example by establishing clear pedestrian crossing points, or a safe cycle route with improved crossing points can improve mobility and access for disabled people.

For those that do have access to a car, or rely on taxis and carers, journey times should improve once the scheme has been implemented due to a reduction in the number and severity of accidents on the network.

Lower Income Groups:

This group is less likely to be working from home, less likely to have access to a private vehicle and so more likely to need to walk/cycle in a safe environment. The scheme will enable access to a safe network on the borough's most important route when accessing transport hubs (three rail stations and the bus station are all located within the vicinity of the proposed route). The scheme will improve equity in access to transport. Enabling safe travel is essential to allow lower income groups to access work, or back into work.

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 very few negative impacts anticipated for any of the groups identified above.</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>This initial EQIA has taken into account relevant and available data sources, including data from Census 2011 and ward data. The Local Transport Plan evidences the relationship between road safety, sustainable travel choice and access, as well as associated air quality impacts.</p> <p>Regarding other sources: The SRF scheme's proposal for a speed reduction has been undertaken. The SRF speed reduction survey did not evidence any issues relating to specific, protected groups but was primarily responded to by motorists using the A4. Further consultations will be issued as the scheme is designed in full and the results analysed.</p> <p>Responding to customer complaints and other correspondence are generally considered as part of the general Transport team duties. Any relevant points will be captured and referred to scheme designers to ensure consideration of specific concerns, however, the information here is not extensive and there are no major points of reference relating to any specific group.</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>At this stage, only the speed reduction measure has been consulted upon. Staff forums were consulted in relation to the proposed A4 speed reduction measure. Future consultation related to the full scheme design will be directed at staff through the usual mechanism.</p> <p>Community groups have been sent information regarding the speed reduction, via email correspondence, with a request for any comments to be made. One particular group specifically targeted is schools, with head teachers having been contacted for this purpose.</p>

	<p>The intention is to engage further with as many relevant organisations and community groups as the full scheme is developed. This process is expected to continue until the detailed design for the scheme has been completed.</p>
8.	<p>Have you considered the impact the policy might have on local community relations?</p> <p>The SRF is expected to make a positive contribution here. Road Safety is an important aspect of the Borough's Transport Strategy. Road Safety interventions are essential in providing greater mobility and accessibility for all members of the community.</p> <p>The SRF will be designed to contain a comprehensive list of measures and proposals to have the overall effect of improving safety and accessibility within a key route for those travelling on east-west journeys in the town. This will be achieved through more reliable journeys, improved safety leading to increased cycling and walking levels and all associated benefits. All of these impacts are expected to be valued by the community, and specific community groups, as referred to in section 4.</p> <p>The expected benefits arising from the improved air quality, reduced carbon emissions, reduced congestion levels, will all be particularly valuable in terms of greater social and environmental sustainability. Better, more reliable access to jobs, education and shopping areas will all be expected to lead to greater economic sustainability, with positive implications for all within the various communities.</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>As throughout this review, there are currently no negative impacts anticipated for any protected group, or indeed all members of the public. It is possible that some changes may have some unexpected consequences, including some short term detrimental impacts during the construction phase, but this will be mitigated through careful planning and effective mobilisation and management of the Direct Services Organisation likely to be carrying out the work. Any negative impacts will be reviewed and addressed accordingly.</p> <p>Engagement with the public increasingly takes place via online communications, and the various websites run by the Council and the bus operators, and all other sources, will continue to play a vital role in the exchange of information and comments. However, as far as practically possible, greater input from community groups will be actively sought and welcomed by the Council, through current channels and new initiatives to be explored and implemented.</p>

10. **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.**

The reporting procedure for the SRF has not yet been fully finalised. It is probable that the Road Safety Foundation will be required to quality assure the completed works on behalf of the Department for Transport.

The current proposal is one year annual review will be appropriate to monitor the effectiveness of the programme. In addition, the Council will respond to all relevant guidance from the DfT, and will comply with all formal reporting requirements.

The success of the scheme implementation and associated measures will typically be subject to evaluation reports and regular monitoring, as well as discussion at partnership meetings.

In addition, the Transport team will oversee an ongoing review of the overall development and progress of the SRF scheme and all associated measures, including consideration of the perceived and actual impacts on the public – including, specifically, all protected groups.

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.

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Action	Target Groups	Lead Responsibility	Outcomes/Success Criteria	Monitoring & Evaluation	Target Date	Progress to Date
To reduce speeds on defined sections of the A4.	All groups	Misha Byrne / Support from Road Safety Consultants and newly recruited SBC Road Safety Engineer	Reduction of number of Killed and Seriously Injured collisions on the A4, once complementary measures have been introduced. Increase in number cycling, walking and scooting.	Monitoring of Killed and Seriously Injured (KSIs)	31 March 2023	On course, subject to Cabinet approval
Design of SRF scheme measures	All groups	Misha Byrne / Road Safety engineer/	Scheme approval by Road Safety Foundation Approval by Lead Member	Scheme designed	July 2023	Planned
	All groups					

Implementation of scheme		Misha Byrne / Road Safety engineer/	Deployment and testing of all associated measures after consultation	Outputs delivered.	Complete December 2023	Planned (timeline subject to necessary procurement and legal sign off)
Monitoring of outputs			Annual follow up report	Outcome achieved	Completed December 2024	

Name: Misha Byrne

Signed:

(Person completing the EIA)

Name:



Signed:

.....(Policy Lead if not same as above)

Date:

Slough Borough Council

Report To:	Cabinet
Date:	19 th December 2022
Subject:	Corporate Assets Facilities Management Services
Chief Officer:	Pat Hayes
Contact Officer:	Kamal Lallian
Ward(s):	All
Portfolio:	Cllr Sabia Akram, Leisure, Culture & Community Empowerment
Exempt:	NO
Key Decision:	Yes because it is likely 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 facilities management services
Decision Subject to Call In	Yes
Appendices:	None

1. Summary and Recommendations

- 1.1 Bouygues E&S Solutions Ltd, (Bouygues) the Council's facilities management contractor has for some time been in dispute with the Council over the extension of their contract, which they did not want, and had triggered the contractual adjudication process to terminate the contract on grounds of non-payment of invoices.
- 1.2 The view was taken that instead of contesting the potentially expensive and resource intensive adjudication proceedings with no guarantee of a good outcome for the Council, it was best to end the contract by mutual agreement rather than risk continuing to have an unwilling and uncooperative contractor in place with the likelihood of further disputes at a time when significant savings and services reconfiguration are required from the contract.
- 1.3 An agreed termination with three months' notice, allowing just sufficient time to put alternative arrangements in place was implemented.
- 1.4 Consequently, the report seeks approval to implement a replacement model to deliver facilities management (FM) services across corporate buildings, offering better financial control and improved service quality through a mixture of direct staff employment and direct contracting rather than purchasing an umbrella service.

Recommendations:

Cabinet is recommended to:

- a) Note the report and the savings required in 2023/24 against FM budgets.
- b) Approve the recommended service delivery model to transition from an external service provider to a new mixed in-house and contracted out model.
- c) Delegate authority to the Executive Director of Housing & Property in consultation with the lead member for Leisure, Culture & Community Empowerment to:
 - (i) Decommission the Bouygues contract including transfer of staff back to the Council where required.
 - (ii) Procure and award contracts to specialist contractors (e.g., lifts, air conditioning) ensuring that local, SME and other suppliers have the opportunity to compete.

Reason:

- Our current service provider, Bouygues has been delivering services to Slough since 2017. They have wanted to exit the contract for some time and objected to the Council unilaterally deciding to extend the contract, and eventually sought release from the contract through adjudication proceedings for late payment of an invoice by the Council. Legal advice was that there was no guarantee of a good outcome for the Council from the adjudication process.
- As the Council down sizes its operational estate and reduces costs to restore its financial position it needs to make savings from its facilities management functions reducing specifications and getting greater value for money. This is easier to do outside the existing historic contract

Commissioner Review

The Commissioners support the recommendation for Option 1 set out in this report. It is important that there is appropriate oversight of the process given the tight timescale to deliver the TUPE transfer and ensure alternative contracts are in place where needed, and risks are managed.

2. Report:

- 2.1 Bouygues have been delivering FM services to the council since 1st December 2017. The contract with Bouygues was awarded on a 4+1+1+1 year basis. A formal letter was sent to Bouygues on 31st August 2022 confirming the extension of the contract from 1st December 2022 – 30th November 2023. This was the second extension for the contract taking it to year 6 of a maximum 7 year period.
- 2.2 Bouygues had stated their intention to terminate the contract and prevent a further extension, claiming the contract was being frustrated due to changes the council was making to reduce its costs and that they were running the contract at a loss. The issuing of the contract extension triggered Bouygues to issue an adjudication notice using the failure to pay a specific invoice within agreed timescales as a breach of contract.

- 2.3 The council has considered its position and that of Bouygues and whilst prepared to contest the claim, was faced with a worst case scenario of Bouygues winning the adjudication and being able to terminate immediately and a best case one of being left with an unwilling and uncooperative contractor wanting to end the contract. It was therefore decided that the best course was to agree a mutual termination rather than expend considerable monies fighting the claim.
- 2.4 The agreed termination allows three months to put alternative arrangements in place with the fall-back option that Bouygues could be kept on, albeit at a cost, if required for a short period after this.
- 2.5 £500k of savings need to be made in the management of Council operational assets, against a backdrop of the asset disposal programme and budget reductions. These savings will be hard to achieve under the current contract with an uncooperative contractor unwilling to accept reductions in scope and specification of the contract.
- 2.6 The current contract involves Bouygues directly employing some staff and subcontracting other functions out to specialist trade contractors. It is felt that in terms of scaling down costs this is more easily done if the Council has direct control over the core functions like cleaning where it can scale down the scope and specification of services which Bouygues have no incentive to do and that it will get better value from directly procuring specialist services as there will be no main contractor margin.
- 2.7 Preparations have now begun in earnest to demobilise Bouygues and put in place new arrangements. The timescale is tight but the contractor is cooperating in terms of providing lists of staff information and equipment.
- 2.8 A project team including the Council's legal, procurement, HR and finance teams has been put in place to manage this process.
- 2.9 The preferred approach will involve transferring a number of Bouygues staff into Council employment. The costs of so doing can be met from existing budget. The transferred staff will have the benefit of becoming Council employees while the Council will be able to directly manage their performance.
- 2.10 The preferred approach will also involve purchasing existing stores and some other equipment from Bouygues, which will be more cost effective than buying new stock or equipment

Options considered

- 2.11 A number of options have been considered in respect of ways to replace the existing contractor. The following services need to be provided.
- Reactive Repairs
 - Preventative Planned Maintenance
 - Compliance Tasks
 - Cleaning / Housekeeping Services
 - Project- EWTC's (Extra Works to Contract)
 - Capital Works

- Emergency site attendance - normal working hours
- Out of hours Emergency Call Outs

2.12 Option 1 –Some In-house Service Delivery Procuring Specialist Services on Term Contracts

On the agreed date, Bouygues staff would transfer to the council or replacement contractors under TUPE. Services provided by Bouygues sub-contractors will be procured on a longer-term basis under term contracts of a duration in line with norms.

Pros	Cons
Terminate the contract with Bouygues and start the process of a self-delivery model, offering best value for delivered services across the council estate.	Management set-up costs of the service in the initial stages – will include transport, ITC, staff uniforms, equipment and stock items etc
Strategic alignment in that this provides extensive flexibility to the Council in terms of operations. Total financial and management control of all aspects of FM services.	TUPE costs – © 40 staff currently on the TUPE list. Potential redundancies
Savings against reactive works, by way of no additional mark ups from contractors, we would own and manage the technical team and specialist contractors directly.	Contract management costs
Not having an additional mark up on invoices regarding quoted works.	
Savings Targets for 23/24 of © £500k can be achieved.	If the asset disposal programme is delayed the opportunity to make all the savings could be difficult.
Ongoing savings by reducing markups from the intermediary (CPI & material-labour uplifts) currently applied by Bouygues.	
Engaging contractors that solely quote and invoice directly to the council.	
Delivering in-house services can and will be beneficial for the council longer term as offices/buildings are working differently, we need to be flexible and have the ability to adapt quickly to change as the asset disposal programme is implemented.	Being able to embrace change could be very difficult, as not having full control of the delivered services will hold us back.

2.13 Option 2 – In-house Service Delivery Model Procuring Specialist Services on Spot

On the agreed date, Bouygues staff would transfer to the council or replacement contractors under TUPE. Services provided by Bouygues sub-contractors would not be procured on a long-term basis and short-term spot orders would be placed as necessary.

Pros	Cons
Terminate the contract with Bouygues and start the process of a self-delivery model, offering best value for delivered services across the council estate.	Management set-up costs of the service in the initial stages – will include transport, ITC, staff uniforms, equipment and stock items.
Strategic alignment in that this provides flexibility to the Council in terms of operations.	
Financial and management control of all aspects of FM services	This may be a huge challenge as not having a contract in place with service partners and purchasing on the spot repairs, may leave SBC open to high costs and no/much reduced savings on the delivered services.
The majority of services would return to the council under TUPE.	TUPE costs – © 40 staff currently on the TUPE list.
Opportunity to seek savings against the current PPM and reactive works, carried out by specialist contractors.	Significant risks in that the council would no longer have term contracts for key building operations. e.g. lift maintenance and air conditioning meaning that the council may not be able to operate in the event of building failure.
Flexible services that may be varied as asset disposal programme is implemented.	The council will face increased costs from the management of the on-spot service and additional time required to negotiate and purchase services.
Some savings will be achieved by reducing markups from the intermediary (CPI & material-labour uplifts) currently applied by Bouygues.	Savings Targets for 23/24 of © £500k unlikely to be achieved and also dependent on asset disposal programme.
Contractors can be varied as and when required.	Piecemeal procurement of services is highly intensive with variable costs and additional management resource requirements.
	Additional management/administration would need to be assigned to the day to day running of spot purchase contracts.
	Heavily dependent on the council being able to obtain suitable staff to manage the services in-house and

	operating the network of specialist suppliers without unacceptable service risk.
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2.14 Option 3 – Appoint a Replacement FM Contractor for a Short-Term Period i.e. the remainder of the term

On the agreed date, Bouygues staff would transfer to a new contractor under TUPE, with specialist services being performed by the new contractors' network. This option could be further split with some 'soft' FM services, i.e. those services relating to the usage of the building such as cleaning and security, becoming the responsibility of the council with only 'hard' FM services i.e. those services relating to the physical aspects of buildings such as electrical, lifts, air conditioning going to a specialist contractor. The contract would be for a short period of no more than one year to allow the council to review its strategy aligned to the asset disposal programme.

Pros	Cons
Terminate the contract with Bouygues and start the process of a finding a contractor to offer a short-term contract.	It could be costly and difficult to secure a contractor for the remainder of the contract term.
Looking for best value.	This will be a challenge in arranging a contract to cover the short fall of time till the end of the original contract.
Service Delivery costs.	We need to secure good quality contracts with the additional benefit of value which would be difficult using this option of a short-term partner.
Working with the Service Partner.	The additional set-up cost for the council to engage a new service partner on a short-term basis would not be beneficial as time is needed to move over the IT information and interface as well as the costs involved.
TUPE would be managed by the new provider.	The costs to a supplier of establishing a new contract of this nature would be prohibitive for a short-term arrangement.
This option is short-term and does not provide strategic alignment to the council's long-term plans and best value.	The council is unlikely to see any short-term economic benefit from this approach.
	For suppliers to be interested in a short-term piece of work, the incentivisation would need to be sufficiently high. Given the current financial position of the council, this is deemed as unlikely to be appropriate and would not deliver best value.

	Savings Targets for 23/24 of © £500k will not be achieved
	Less financial and management control of all aspects of FM services
	Less flexibility to vary services as asset disposal programme is implemented.

2.15 Option 4 – Appoint a Replacement FM Contract for a Longer-Term Period

On the agreed date, Bouygues staff would transfer to a new contractor under TUPE, with specialist services being performed by the new contractors’ network. This option could be further split with “soft’ FM services, i.e. those services relating to the usage of the building such as cleaning and security, becoming the responsibility of the council with only ‘hard’ FM services i.e. those services relating to the physical aspects of buildings such as electrical, lifts, air conditioning going to a specialist contractor going to a specialist contractor. The contract would be for a longer period to allow for market interest.

Pros	Cons
Terminate the contract with Bouygues and start the process of a finding a contractor to offer a new long-term contract.	The cost to engage another long-term contractor, would put us back in the situation we currently have.
Looking for best value against a contract cost.	To offer the contract to be retendered again would give the council a large financial strain.
Contract costs and service delivery costs would be agreed upfront	The council would be open to additional inflated costs against the contract over the period of the agreed time.
Working with a single service partner.	To enable all the council’s new working processes and the implementation of the asset disposal programme, we need to remain flexible with our service partners and entering into a contract would not offer the malleability the council needs moving forward.
Commercially viable only if suppliers give appropriate consideration for the reducing asset base of the council and therefore reduced services and profits and consequently overheads and staffing levels.	Does not provide strategic alignment and would make reducing the cost of FM services more difficult as the assets are reduced.
The council is likely to be able to support such a transition given the single supplier, single transition process.	The council is unlikely to see any economic benefit from this approach.
TUPE would be managed by the new provider(s)	Savings Targets for 23/24 of © £500k will not be achieved as costs will broadly be the same if not more and will increase with inflation.

Recommendation

1.1 It is recommended that Cabinet approve **Option 1 – In-house Service Delivery Model Procuring Specialist Services on Term Contracts.**

The council is currently undergoing a restructure of service delivery across all directorates and is redefining its operating model. This provides a good opportunity to create a dedicated council building management team to provide managed services across the whole Council estate in a way that maximises saving from shared use of buildings etc.

The team will;

- Take ownership of cost, add value and challenge where needed.
- Use expertise to manage performance and delivery of quality services.
- Look at every step involved in delivering a new operating model, always looking to explore new options and include new opportunities in the services we provide.
- Be accountable to senior management and Members.
- Procure and seek to deliver best value services
- Future proof the service delivered
- Build and develop on current skills with ambition to deliver more in-house cost-effective services.
- Offer training to upskill the current team and build resilience.
- Work with the private and public sectors to offer a leaner service.
- Utilise and incorporate the good quality service partners we already engage and work with around the borough.

- 1.1 As the Council currently have a number of buildings which are earmarked for disposal the new model of delivery offers greater flexibility to down size requirements and reduce specifications.

3. Implications of the Recommendation

3.1 Financial implications

- 3.1.1 The current spend against the Bouygues contract across all council departments and directorates is circa £1.8m. The Building Management budget is £1.3m. In total savings of £500k are expected from these budgets in 2023/24 which will be delivered via the new service delivery model incorporating the asset disposal programme and accommodation plan.

The new service model can be delivered within the available budget with appropriate reductions to reflect current building occupation and usage. Market testing has been undertaken for a like for like service which has identified only a marginal saving of less than £100. Market testing with specialist suppliers has shown we make can achieve significant savings if we procure services directly

avoiding third party management fees. For example, soft market testing identified savings of between £35k to £15k for provision of annual gas boiler servicing if we were to directly procure.

Funding will be required to purchase stores and equipment this will be found from the existing budget.

3.2 Legal implications

3.2.1 Advice from HB Public Law regarding the adjudication process was that there was no guarantee of a good outcome for the Council in the proceedings. Further legal advice was provided on contract termination leading to a joint decision to terminate the contract on 28th February 2023, and to work with Bouygues to:

- a) Agree a demobilisation plan and remobilisation through mutual agreement
- b) Agree TUPE list and finalised list of staff transfer
- c) Handover of complete database and revised asset register

3.2.2 The contract provisions continue to apply up until the termination date and so the Council can rely on these provisions to achieve a smooth exit from the contract.

3.2.3 The Council must comply with The Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended) TUPE with regard to any Bouygues employees or workers transferring their employment to the Council. HB Public Law will work with HR and the project team to ensure compliance.

3.2.4 All procurement must be done in compliance with The Public Contracts Regulations 2015 (PCR) and the Council's Contract Procedure Rules. The PCR do not apply to the insourcing of services to the Council"

3.3 Risk management implications

3.3.1

Risk	Mitigating action	Opportunities	R/Level
Bouygues exit the contract earlier than expected, leaving the council to arrange building PPMs, reactive compliance & quoted works to cover outstanding requirements across the estate.	<ul style="list-style-type: none"> • Develop a planned exit strategy with Bouygues • Use the SBC team & a small number of TUPE'd staff to enhance the services required. • Use specialist SMEs to provide quality & financial savings. 	<ul style="list-style-type: none"> • To deliver cost effective services across the estate. • Add value to estate • Take ownership of the contract delivery challenges • Work with other SBC departments towards reducing energy costs. • Work with the Asset Disposal Team for smoother transition towards, leasing & building sales. 	Medium

H&S – the council are left with a large amount of outstanding uncompleted compliance, H & S tasks across the estate.	<ul style="list-style-type: none"> Take ownership of the works required and during demobilisation plan how these are completed and managed 		Low
H& S – the council is challenged by H & S incident at a non-compliant site within the borough.	<ul style="list-style-type: none"> Work with Bouygues and ensure all compliance and mandatory works are monitored daily and weekly 		Low
Self-Delivery Model - If approval is not given, it would lessen opportunity to deliver quality services and deliver savings.	<ul style="list-style-type: none"> Report detailing options considered and the most effective opportunity offered 		Low
Legislative Changes - unknown/unquantified legislative changes which may have a negative impact on the objectives e.g., H & S directives & new legal regulations.	<ul style="list-style-type: none"> Keep up to date with key legislation and ensure that any proposed changes are taken into consideration and worked into the appropriate plans. 	<ul style="list-style-type: none"> Review what we have previously been informed by the incumbent contractor to verify the requirement. 	Low
Legal Risk of challenge to the outcome of the procurement process.	<ul style="list-style-type: none"> A verification exercise of the evaluation of requested services & delivery process to mitigate the risk of challenge from any unsuccessful bidders Comply with the Public Contracts Regulations 2015 	<ul style="list-style-type: none"> Find quality Service Partners, work together to drive forward the contract expectations. 	Low
Mobilisation - backlog of work which may arise throughout the existing contractor's termination & exit period. They may be less motivated in the completions. The impact could be felt in the council's operations team and on the mobilisation of the new structure/model.	<p>Agree an exit timeline including:</p> <ul style="list-style-type: none"> close engagement with existing provider close management of works including timely reporting enforcement of payment mechanism 		Medium

3.4 Environmental implications

- 3.4.1 Developing a new self-delivery model offers the opportunity of a new vision on how we would deliver services across the borough. The future delivery model is a much leaner service incorporating planned service delivery avoiding multiple visits to the same site with skilled officers delivering numerous planned tasks whilst onsite.
- 3.4.2 This will be the new way of working and delivering services to reduce energy consumption and carbon emissions. The asset disposal programme will reduce the councils carbon emissions over a period of time, this can be quantified through energy and carbon audits. Our internal delivery plan will focus on reducing fuel usage and where upgrading is required look towards technology for greener solutions.
- 3.4.3 Environmental benefits can be specified in contracts to be procured.

3.5 Equality implications

- 3.5.1 The Equality Act 2010 and Council policies will be adhered to in demobilising the existing contract and transferring staff to the Council. Transferring staff into Council employment should have a positive benefit for staff.

3.6 Procurement implications

- 3.6.1 All procurement projects will consider the best procurement option and procurement route. This will ensure that best value is demonstrated in each procurement undertaken and the Procurement Team will be part of the project team to mobilise the new service delivery model.
- 3.6.2 A business case for each procurement project will be developed which will consider the most appropriate procurement route according to the council's contract procedure rules, UK Procurement regulations and will need to follow public procurement principles of value for money, equality of treatment, transparency, proportionality.

3.7 Workforce implications

- 3.7.1 TUPE regulations will be adhered to incorporating the council's HR policies and HR will be part of the project team to demobilise the contract and will support the staff consultation to develop the new in-house service delivery structure.

3.8 Property implications

- 3.8.1 We will work with the Property Service to help deliver savings to compliment the Asset Disposal Programme.

4. Recommendation

- 4.1 Option 1 is recommended as the new in-house service delivery model with procurement of specialist services on term contracts. This option has the best alignment to deliver best value services and greatest control and flexibility to deliver and manage FM services. The model offers flexibility and savings that are aligned to the asset disposal programme, accommodation plans and efficiencies required going forward.
- 4.2 In addition, this model will minimise immediate service risk and will be commercially viable with the market able to respond to term service contracts in sufficient time to manage key delivery risks

5. Background Papers

None

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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