

Date of despatch: Wednesday, 18 January 2023

To the Members of Slough Borough Council

Dear Councillor,

You are summoned to attend a Meeting of the Council of this Borough which will be held in the Council Chamber - Observatory House, 25 Windsor Road, SL1 2EL on **Thursday, 26th January, 2023 at 7.00 pm**, when the business in the Agenda below is proposed to be transacted.

Yours faithfully



STEPHEN BROWN
Chief Executive

PRAYERS

AGENDA

Apologies for Absence

	<u>PAGE</u>
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. To approve as a correct record the Minutes of the Council held on 22nd November 2022	1 - 10
3. To receive the Mayor's Communications.	-

Public Questions

4. Questions from Electors under Procedure Rule 9.	-
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Officer Reports

- | | | |
|----|------------------------------------------------------------------------|-----------|
| 5. | Review of Polling Districts, Places & Stations 2022/23 | To Follow |
| 6. | Changes to Terms of Reference of Cabinet Committee for Asset Disposals | 11 - 20 |
| 7. | Appointment of Executive Director Finance and Commercial | 21 - 24 |

Motions

- | | | |
|----|--------------------------------------------------------|---------|
| 8. | To consider Motions submitted under procedure Rule 14. | 25 - 26 |
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Member Questions

- | | | |
|----|---------------------------------------------------------------------|---|
| 9. | To note Questions from Members under Procedure Rule 10 (as tabled). | - |
|----|---------------------------------------------------------------------|---|

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.

MINUTES OF COUNCIL PROCEEDINGS

At a Meeting of the Council for the Borough of Slough held at the Council Chamber - Observatory House, 25 Windsor Road, SL1 2EL on Tuesday, 22nd November, 2022 at 7.00 pm

Present:- The Worshipful the Mayor (Councillor D.Parmar), in the chair; Councillors Ajaib, Akbar, Akram, Anderson, Bal, Basra, P. Bedi, Begum, Brooker, Cheema, Dar, Gahir, Grewal, Hulme, Kaur, Kelly, M. Malik, S. Malik, Mann, Matloob, Minhas, Mohammad, Muvvala, Nazir, S. Parmar, Qaseem (until 8.21pm), Sabah, Sandhu, Smith, Strutton (until 8.01pm), Swindlehurst and Wright.

Apologies for Absence:- Councillors Ali, Bains, M. Bedi, Carter, Gill and Pantelic.

33. **Declarations of Interest**

Councillor Bal declared that his daughters worked for the Council. He remained and participated in the meeting.

34. **To approve as a correct record the Minutes of the Council held on 22 September 2022**

Resolved - That the minutes of the meeting held on 22nd September 2022 be approved as a correct record.

35. **To receive the Mayor's Communications.**

The Mayor thanked those Members who attended the events arranged throughout the Borough for Armistice Day and Remembrance Sunday. The efforts made to mark these important occasions were very well received by both the organisations involved and the public.

Members were reminded to show their support for the Mayor's chosen charities, Slough Foodbank and Thames Hospice by donating via the Mayor's Just Giving page.

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

Six elector questions had been received. Five questioners were present and four asked a supplementary question. A written reply would be sent to all six questioners.

37. **Recommendations of the Overview and Scrutiny Committee from its meeting held on 17th November 2022**

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

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- a) "That the actions to date and next steps in the Scrutiny Improvement Action Plan at Appendix B be noted.
- b) That the findings of the Centre for Governance and Scrutiny's Scrutiny Improvement Review at Appendix A be noted.
- c) That the recommendations found in section 3 of the Scrutiny Improvement Review Feedback Report Letter be endorsed.
- d) That a Scrutiny Working Group be reconvened in order to make recommendations to council, as soon as practicable, about the detailed changes to Overview and Scrutiny, plus associated constitutional changes, and that consideration be given to recommending a second committee in addition to the proposed Corporate Improvement Scrutiny Committee."

The recommendations were put to the vote and carried with 25 votes for and 8 abstentions.

Resolved -

- a) That the actions to date and next steps in the Scrutiny Improvement Action Plan at Appendix B be noted.
- b) That the findings of the Centre for Governance and Scrutiny's Scrutiny Improvement Review at Appendix A be noted.
- c) That the recommendations found in section 3 of the Scrutiny Improvement Review Feedback Report Letter be endorsed.
- d) That a Scrutiny Working Group be reconvened in order to make recommendations to council, as soon as practicable, about the detailed changes to Overview and Scrutiny, plus associated constitutional changes, and that consideration be given to recommending a second committee in addition to the proposed Corporate Improvement Scrutiny Committee.

38. Recommendations of the Cabinet from its meetings held on 2nd November 2022 and 21st November 2022

Montem Appropriation Site

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

- (a) "That it be noted that at a Special Meeting held on 2nd November 2022 the Cabinet resolved as follows:

1.1 Noted that the plan of the land to be appropriated for development attached to both the Cabinet and the Council reports mistakenly referred to the land shown edged red on the plan, whereas in fact the proper extent of the land to be appropriated is the land shown

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edged orange on the plan attached at Appendix B of this report. The land shown edged red on the plan attached to the earlier reports is the footprint of the larger Montem site, and includes land that is not being appropriated.

- 1.2 *Agreed to appropriate the Montem site to planning (shown edged orange on the plan attached at Appendix B of this report) under section 226 of the Town and Country Planning Act 1990 on the grounds that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land, and the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the whole, or any part, of their area*
- 1.3 *Agreed that officers be authorised to take all necessary steps to appropriate the site (shown edged orange on the plan attached at Appendix B of this report) for planning purposes to facilitate the carrying out of development, redevelopment or improvement on or in relation to that land.*

(b) That the Council resolution of 22 September 2022 be revoked.”

The recommendations were put to the vote and carried with 31 votes for and 2 abstentions.

Resolved -

(a) That it be noted that at a Special Meeting held on 2nd November 2022 the Cabinet resolved as follows:

- 1.4 *Noted that the plan of the land to be appropriated for development attached to both the Cabinet and the Council reports mistakenly referred to the land shown edged red on the plan, whereas in fact the proper extent of the land to be appropriated is the land shown edged orange on the plan attached at Appendix B of this report. The land shown edged red on the plan attached to the earlier reports is the footprint of the larger Montem site, and includes land that is not being appropriated.*
- 1.5 *Agreed to appropriate the Montem site to planning (shown edged orange on the plan attached at Appendix B of this report) under section 226 of the Town and Country Planning Act 1990 on the grounds that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land, and the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the whole, or any part, of their area*
- 1.6 *Agreed that officers be authorised to take all necessary steps to appropriate the site (shown edged orange on the plan attached at Appendix B of this report) for planning purposes to facilitate the*

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carrying out of development, redevelopment or improvement on or in relation to that land.

(b) That the Council resolution of 22 September 2022 be revoked.

Financial Action Plan Update

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

“That the progress and issues arising from the continued work on the Financial Action Plan Update be noted.”

The recommendation was put to the vote and carried with 30 votes for and 2 abstentions.

Resolved – That the progress and issues arising from the continued work on the Financial Action Plan Update be noted.

Improvement and Recovery Update

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

“That progress made by the Council in addressing the Directions of the Secretary of State be noted.”

The recommendation was put to the vote and carried with 30 votes for and 2 abstentions.

Resolved - That progress made by the Council in addressing the Directions of the Secretary of State be noted.

(Stephen Brown left the meeting)

39. Appointment of Chief Executive

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

“That Council welcomes the appointment by the Commissioners on 26 October 2022 of Stephen Brown as Chief Executive and Head of Paid Service.”

The recommendation was put to the vote and carried with 29 votes for and 2 abstentions.

Resolved – That Council welcomes the appointment by the Commissioners on 26 October 2022 of Stephen Brown as Chief Executive and Head of Paid Service.

(Stephen Brown returned to the meeting)

40. Revisions to the Constitution

Contract Procedure Rules

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

- a) "That the amendments to Part 4.6.1 of the Constitution, Contract Procedure Rules as set out in Appendix A to the report, be approved.
- b) That the amendments to the Constitution will come into effect on the day following the Council meeting."

The recommendations were put to the vote and carried with 28 votes for and 2 abstentions.

Resolved -

- a) That the amendments to Part 4.6.1 of the Constitution, Contract Procedure Rules as set out in Appendix A to the report, be approved.
- b) That the amendments to the Constitution will come into effect on the day following the Council meeting.

Finance Procedure Rules

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

- a) "That the amendments to Part 4.6 of the constitution, Financial Procedure Rules as set out in Appendix A to the report, be approved.
- b) That the amendments to the Constitution will come into effect on the day following the Council meeting."

The recommendations were put to the vote and carried with 29 votes for and 2 abstentions.

Resolved -

- a) That the amendments to Part 4.6 of the constitution, Financial Procedure Rules as set out in Appendix A to the report, be approved.
- b) That the amendments to the Constitution will come into effect on the day following the Council meeting.

41. To consider Motions submitted under procedure Rule 14.

Cost of Living Crisis

It was moved by Councillor Brooker,
Seconded by Councillor Hulme,

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“This Council recognises that cost of living pressures have risen to such an extent that some residents are struggling to manage and, for many, the situation has now effectively become an emergency.

Slough Borough Council, using what resources are available to us to provide assistance, will prioritise support for our residents to those who need it most. We resolve to:

- Prepare a formal 'state of Slough' report to better understand and fully assess the impacts of the current crisis.
- Arrange meetings with partner organisations to ensure we co-ordinate staff, volunteers, and operational tasks between our organisations to assist residents through our responses to the cost-of living crisis as fully and efficiently as we can and to ensure that all those involved in response activity are well-trained and aware of risks faced by individuals.
- Refresh the 'One Slough' Voluntary Sector Partnership and equip it to lead in providing help to residents in tackling issues arising from the cost-of-living crisis.
- Provide £15 food vouchers, per week per child, to households in receipt of free school meals (under tranche three of the Housing Support Fund) to cover school holidays from Christmas 2022 until February 2023.
- Compile a list of public buildings locally that during this winter will be regularly open, staffed, heated and warm - where residents who can't afford to heat their homes can safely and comfortably spend time at no cost.

This Council also resolves to write to the UK Government calling on them to:

- Convene an emergency response committee to tackle cost of living pressures with urgent measures
- Immediately reduce VAT on home energy bills and produce a sustainable plan to rapidly invest in insulating homes that have poor energy efficiency/performance.
- Review the legislation, method and calculations used to set Local Housing Allowance to ensure that rates are more responsive to areas with high and increasing market rents, so that LHA can better respond to housing cost pressures
- Announce a medium-term financial settlement for Local Authorities so they can plan and prepare budgets over a medium-term financial cycle, ensure through this settlement that local Authorities are adequately resourced for the life of their MTFSSs, and use the settlement to help local Councils provide proper support for residents during the cost-of-living crisis.

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- Recognise the particular needs of the urban authorities, with high levels of deprivation, and prioritise these within the government's refreshed commitment to 'Levelling Up' activity.”

It was moved by Councillor Smith, as an amendment,
Seconded by Councillor Kelly,

“This Council recognises that cost of living pressures have risen due to such an extent that some residents are struggling to manage money, and for many, the situation has now effectively become an emergency.

The Council acknowledges that the Government has implemented a number of measures including:

- 47,000 Slough households have received £150 energy rebate through their Council Tax accounts in the summer.
- That 19,700 Slough residents are receiving this month their second means-tested cost of living payments this year; this is worth £324 per benefit claimant.
- All households are current receiving a £400 discount on their autumn energy bills. This support is part of the Government's £37 billion package of cost of living support, which also includes up to £1,200 worth of direct help for vulnerable families across the country in this financial year.

Slough Borough Council, using what resources are available to us to provide assistance, will prioritise support for our residents to those who need it most. We resolve to:

- Prepare a formal 'state of Slough' report to better understand and fully assess the impacts of the current crisis.
- Arrange meetings with partner organisations to ensure we coordinate staff, volunteers, and operational tasks between our organisations to assist residents through our responses to the cost of living crisis as fully and efficiently as we can and to ensure that all those involved in response activity are well-trained and aware of risks faced by individuals.
- Refresh the 'One Slough' Voluntary Sector Partnership and equip it to lead in providing help to residents in tackling issues arising from the cost-of-living crisis.
- Provide £15 food vouchers, per week per child, to households in receipt of free school meals (under tranche three of the Housing Support Fund) to cover school holidays from Christmas 2022 until February 2023.
- Compile a list of public buildings locally that during this winter will be regularly open, staffed, heated and warm where residents who can't afford to heat their homes can safely and comfortably spend time at no cost.

This Council also resolves to write to the UK Government calling on them to:

- Convene an emergency response committee to tackle cost of living pressures on an evolving basis as needed, with urgent measures which might include a reduction in VAT on home energy bills and a sustainable

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investment plan to insulate homes that have poor energy efficiency/performance.

- Review the legislation, method and calculations used to set Local Housing Allowance to ensure that rates are more responsive to areas with high and increasing market rents, so that LHA can better respond to housing cost pressures
- Announce a medium-term financial settlement for Local Authorities so they can plan and prepare budgets over a medium-term financial cycle, ensure through this settlement that local Authorities are adequately resourced for the life of their MTFs, and use the settlement to help local Councils provide proper support for residents during the cost-of-living crisis.
- Recognise the particular needs of the urban authorities, with high levels of deprivation, and prioritise these within the government's refreshed commitment to 'Levelling Up' activity."

The meeting signified its consent to the amendment to the motion and the amended motion became the substantive motion.

The substantive motion was put to the vote and carried with 29 votes for and 2 abstentions.

Resolved -

This Council recognises that cost of living pressures have risen due to such an extent that some residents are struggling to manage money, and for many, the situation has now effectively become an emergency.

The Council acknowledges that the Government has implemented a number of measures including:

- 47,000 Slough households have received £150 energy rebate through their Council Tax accounts in the summer.
- That 19,700 Slough residents are receiving this month their second means-tested cost of living payments this year; this is worth £324 per benefit claimant.
- All households are current receiving a £400 discount on their autumn energy bills. This support is part of the Government's £37 billion package of cost of living support, which also includes up to £1,200 worth of direct help for vulnerable families across the country in this financial year.

Slough Borough Council, using what resources are available to us to provide assistance, will prioritise support for our residents to those who need it most. We resolve to:

- Prepare a formal 'state of Slough' report to better understand and fully assess the impacts of the current crisis.
- Arrange meetings with partner organisations to ensure we coordinate staff, volunteers, and operational tasks between our organisations to assist residents through our responses to the cost of living crisis as fully

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and efficiently as we can and to ensure that all those involved in response activity are well-trained and aware of risks faced by individuals.

- Refresh the 'One Slough' Voluntary Sector Partnership and equip it to lead in providing help to residents in tackling issues arising from the cost-of-living crisis.
- Provide £15 food vouchers, per week per child, to households in receipt of free school meals (under tranche three of the Housing Support Fund) to cover school holidays from Christmas 2022 until February 2023.
- Compile a list of public buildings locally that during this winter will be regularly open, staffed, heated and warm where residents who can't afford to heat their homes can safely and comfortably spend time at no cost.

This Council also resolves to write to the UK Government calling on them to:

- Convene an emergency response committee to tackle cost of living pressures on an evolving basis as needed, with urgent measures which might include a reduction in VAT on home energy bills and a sustainable investment plan to insulate homes that have poor energy efficiency/performance.
- Review the legislation, method and calculations used to set Local Housing Allowance to ensure that rates are more responsive to areas with high and increasing market rents, so that LHA can better respond to housing cost pressures
- Announce a medium-term financial settlement for Local Authorities so they can plan and prepare budgets over a medium-term financial cycle, ensure through this settlement that local Authorities are adequately resourced for the life of their MTFs, and use the settlement to help local Councils provide proper support for residents during the cost-of-living crisis.
- Recognise the particular needs of the urban authorities, with high levels of deprivation, and prioritise these within the government's refreshed commitment to 'Levelling Up' activity.

42. To note Questions from Members under Procedure Rule 10

None received.

Chair

(Note: The Meeting opened at 7.00 pm and closed at 9.02 pm)

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Slough Borough Council

Report To: Council

Date: 26 January 2023

Chief Officer: Stephen Taylor, Monitoring Officer

Ward(s): All

PART I
FOR DECISION**CHANGES TO TERMS OF REFERENCE OF CABINET COMMITTEE FOR ASSET DISPOSALS****1. Summary and Recommendations**

- 1.1 This report sets out proposals to extend the remit of the Asset Disposals Cabinet Committee to include responsibility for progressing Direction 6 of the Directions to the Council by the Secretary of State for Levelling Up, Housing and Communities which relates to council companies of the authority (except Slough Children First), and report accordingly to Cabinet.

Recommendations:

Council is recommended to:

1. Extend the Terms of Reference of the Asset Disposal Cabinet Committee, as set out in paragraph 2.5 of this report;
2. Agree that the consequential amendment to the Constitution will come into effect on the day following the Council meeting;
3. Authorise the Monitoring Officer to amend the Constitution accordingly.

Reason: The amended terms of reference will enable a more detailed member focus on progressing Direction 6.

Commissioner Review

There is no current Member body where the Directors of the Council's subsidiary companies are required to report to give an account of their activities nor for the Directors of these companies are held to account for their financial stewardship. The proposals in this report fill that gap and contribute to the Council's compliance with the Direction. It should be noted that every subsidiary body will be required to report as necessary, the exception in the Direction relating to Slough Children's First prohibits the Council deciding to liquidate the company as it is established as a consequence of a DfE Direction. In all other circumstances, the Council appointed Directors and the financial stewardship should be treated in the same way as all other subsidiary bodies.

Commissioners support the recommendations.

2. Report

Introductory paragraph

2.1 Direction 6 of the Directions to the Council by the Secretary of State for Levelling Up, Housing and Communities states that:

“Following the review by the Authority of their companies within 6 months consider the roles and case for continuing with each subsidiary company of the Authority (except Slough Children First). For those companies that it is agreed to continue, make sure that the Directors appointed by the Authority are appropriately skilled in either technical or company governance matters to make sure each Board functions effectively under the terms of an explicit shareholder agreement and a nominated shareholder representative. For those companies which it is determined not to continue with in this form, to establish a plan to internalise, close or sell as appropriate.”

This report proposes a way forward as to how members can better engage in that process, and satisfy one of the key priorities in its Corporate Plan 2022-2025 which is to deliver best value for tax payers and service users.

Background

2.2 Cabinet considered an Improvement and Recovery update report at its meeting on 11 November 2022. Included in that report was summary of the current position in relation to council companies. The term ‘council company’ refers to a company that is owned (with shares) or controlled (by influence and/or decision making control - but not owned) and includes subsidiaries, JVs/ partnerships (LLPs and Ltd companies), associates (mainly for accounting purposes and 20-50% ownership) and companies limited by guarantee.

2.3 In essence, of the 11 companies formerly owned by the Council, 6 have been closed leaving the following - GRE5 (a company limited by shares which manages Nova House); SUR (a limited liability partnership established to manage and deliver regeneration schemes); JEH (a company limited by shares established to acquire and hold housing properties); Development Initiative Slough Housing (DISH - a company limited by shares to lease and manage 54 properties) and Slough Children First (SCF) which was established under the statutory direction of the Secretary of State for Education to manage the provision of Childrens Services. Further information which was included in the Improvement and Recovery update report is attached at **Appendix 1**.

2.4 Direction 6 requires the Council to review its subsidiary companies and their governance arrangements. As already stated, considerable work has already been done on that. Going forward, however, it is considered important that a small group of members be tasked to do this and be able to develop the expertise necessary to fulfil the requirements of the Direction. Many authorities already have either such a committee Shareholder Panel in place.

2.5 To that end, it was considered whether the current Asset Disposal Cabinet Committee carry out that work or whether another Cabinet Committee be formed. On balance, as two Cabinet Committees may well have been an overlap of members, it was thought more efficient and effective if the terms of reference of the Asset Disposal Cabinet Committee be extended to include the work set out in Direction 6 and make recommendations to Cabinet or Council as necessary. This will be reviewed at least annually at the Annual Meeting of Council and if a separate Cabinet Committee is thought

to be more effective because the workload of the Asset Disposal Cabinet Committee has grown too great, then one can be established at that time.

Proposal

2.6 Part 3.5 of the Constitution sets out the reserved functions for Cabinet and the terms of reference of any cabinet committee. The proposed amendment is to add the following to the terms of reference of the Asset Disposal Cabinet Committee to address the issues raised in Direction 6 and empower the Cabinet Committee to exercise the necessary oversight of subsidiary companies:

- (1) To consider the roles and case for continuing with each company of the Authority (except Slough Children First);
- (2) To ensure that the Directors appointed by the Authority are appropriately skilled in either technical or company governance matters and that each Board functions effectively under the terms of an explicit shareholder agreement and a nominated shareholder representative;
- (3) To approve shareholder agreements, or changes to current agreements, on behalf of the Council;
- (4) To receive a report on their activities and performance, at least annually and in person, from any/all of the Directors, appointed by the Council to any council company under their remit;
- (5) To mandate the Council's shareholder representative to act in particular ways such as voting on resolutions;
- (6) To require the directors and officers of any council company to attend meetings of this Cabinet Committee to report on the current financial health and prospects of their company; and
- (7) To establish a plan to internalise, close or sell as appropriate any council company which it is decided not to continue in its current form.

2.7 On the assumption that the terms of reference of the Asset Disposal Cabinet Committee are amended as suggested, the Cabinet Committee will be asked to consider a future work programme and the frequency of meetings.

3. Implications of the Recommendation

3.1 Financial implications

3.1.1 There are no specific financial implications for this decision. Any additional officer time associated with supporting the cabinet committee will be managed within the Democratic Services team.

3.2 Legal implications

3.2.1 There are no specific legal implications. Local Partnerships has produced guidance on local authority companies. This includes details of the role of the Council as shareholder or owner of the entity, including the following

- oversight of any decisions that can only be made by the shareholder, rather than left to the entity (known as "reserved matters"). These may cover areas such as approval of annual business plan, key appointments, setting up subsidiaries, borrowing money, giving guarantees or winding up
- a mechanism to review the implementation and development of the council's commercial approach through the entities it influences and owns

- the necessary oversight from a shareholder’s perspective that the parameters, policies and boundaries that the council has established are being adhered to
- an articulation of what success looks like in terms of achieving social outcomes and/or a return on investment
- effective and systematic engagement between the Chair/CEO and shareholder role to assure effective performance against strategy and governance
- a mechanism to communicate the shareholder’s views to the entity
- a means to evaluate the effectiveness of the company board and the delivery of the company performance against strategic objectives and the business plan
- a regular review of whether the entity provides the most effective vehicle to deliver the outcomes it requires and whether there are viable alternative models which might offer a more effective means of delivering its priorities
- a holistic review of risk to the council offered by all active entities

3.3 Risk management implications

3.3.1 The establishing of a member body with specific responsibility for the oversight of subsidiary companies as set out in Direction 6 is part of a wider programme to improve the Council’s governance processes and risk management.

3.4 Environmental implications

3.4.1 There are no specific environmental implications arising from this proposed decision.

3.5 Equality implications

3.5.1 There are no specific equality implications.

4. Comments of other Committees

Details of the proposed changes were circulated to councillors on the Member Panel on the Constitution for comment. Members sought assurance that non-executive councillors would have the opportunity to attend and ask questions on matters relating to the company governance. It is confirmed that Members are able to attend and speak at Cabinet Committee meetings as the relevant section of the Executive Procedure Rules (Section 2.3) applies to Cabinet Committees in the same way as they apply to Cabinet.

5. Appendices

Appendix 1 – Extract from the Improvement and Recovery update report to Cabinet on 11 November 2022.

6. Background Papers

None

Subsidiary Company Review

Direction 6

The Council had 11 companies:

- six have been shut.
- four are currently being very actively managed.
- one, low risk, will follow in 23/24.
- Reviews of GRE5, SUR and SCF have been undertaken.
- Directors have been replaced for all, apart from DISH.
- An officer corporate oversight board has been established to provide support to representatives.
- Council capital programme commitments for the companies have been reduced by at least £65m.
- Programme to accelerate asset disposals to generate cash receipts of c.£40m in 22/23 and 23/24.
- Loan repayments to the Council have been accelerated, SUR loan facility reduced from £9m to £2m in 12 months.
- Additional external funding obtained to reduce Council's financial exposure e.g. grant of £9m for GRE5.
- Reduced operating costs for SUR and JEH with reduced scale of operations.

Subsidiary Company Review

Direction 6

Next steps

- Anticipated capital receipts from sales are:
 - 2022/23: £22m
 - 2023/24: £8m
 - 2024/25: £10m
- Above excludes JEH which will be worked up for the exit plan.
- Business plans for JEH, GRE5, SCF to Cabinet in March 2023.
- JEH review to Cabinet March 2023.
- Exit from GRE5 when works complete/legal claim settled.
- DISH review and changes planned for 2023/24.
- SUR estimated exit plan 2024/25.

Further information on subsidiary companies has been included in the appendix.

GRE5

- Company limited by shares, sole purpose to own and manage Nova House, a residential block of flats.
- Report to cabinet and full council to set out options and regularise the loan arrangement.
- New directors appointed based on skills audit.
- Separation between board and shareholder function, with shareholder decisions made at officer, cabinet or council level as appropriate (loan arrangement agreed by full council)
- Securing of funding and commissioning of developer for cladding works.
- Exit arrangements expected in financial year 2024/25 due to works contract and ongoing litigation.

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SUR

- SUR is not a company, it is a limited liability partnership, with specific limited liability partnerships created underneath for each scheme.
- Its purpose is to manage and deliver regeneration schemes.
- Cabinet reports on progress on each site managed via SUR.
- Corporate oversight board to strengthen governance and management arrangements.
- New Executive Director of Housing and Property will have lead responsibility for exit arrangements once current schemes are complete or alternative arrangements entered into.

JEH

- JEH is a company limited by shares. Its sole purpose is to acquire and hold housing properties.
- External review by Local Partnerships, funded by LGA.
- Loan arrangement regularised.
- New directors appointed with monthly board meetings.
- New SLA between Council and JEH to ensure transparency around services provided and cost recovery.
- Separation of banking arrangements put in place.

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Development Initiative Slough Housing (DISH)

- Company limited by shares set up in 1988 for sole purpose of leasing and managing 54 properties.
- Properties are all tenanted with stability in its tenants.
- Options review and exit strategy scheduled for financial year 2023/24 due to lower risks.

Slough Children First (SCF)

- SCF is a company limited by guarantee. It was set up under the statutory direction of the SoS for Education.
- Articles of association were amended in April 2021 to make it wholly owned by the Council. Articles clearly set out reserved matters.
- The board of directors is made up of paid executive directors, independent non-executive directors and council nominated directors.
- The board is relatively new with most directors having been appointed since April 2021.
- A skills audit of the board has been undertaken.
- The Council has undertaken a detailed governance review, which is being reported to Cabinet.
- The Council will also work with the DfE on an options appraisal for delivery of statutory children's social care functions to consider whether the current model remains the most effective one to improve services.

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Slough Borough Council

Report To:	Council
Date:	26 January 2023
Subject:	Appointment of Executive Director of Finance and Commercial Services (S151 Officer)
Chief Officer:	Stephen Taylor, Monitoring Officer
Contact Officer:	Surjit Nagra, Associate Director - Customer
Ward(s):	All

PART I
FOR NOTING**APPOINTMENT OF EXECUTIVE DIRECTOR OF FINANCE AND COMMERCIAL SERVICES (S151 Officer)****1. Summary and Recommendations**

- 1.1 This report sets out arrangements for the appointment to the Executive Director of Finance and Commercial Services (S151 Officer).

Recommendation:

Council is recommended to welcome the appointment by the Commissioners of

- Adele Taylor as Executive Director of Finance and Commercial Services (S151 Officer).

Reason: The Council is required to have an officer in place to cover the statutory post of Section 151 officer.

Commissioner Review

Commissioners have been involved in this process which meets the requirements of the Directions.

2. Report**Introduction**

- 2.1 A stable leadership environment is seen as critical to the ongoing improvement and recovery of Slough Borough Council. The Council has therefore sought to make permanent appointments to positions in its senior leadership team which were being covered by temporary arrangements.
- 2.2 The Council is obligated to have a statutory Section 151 Officer and this function has been combined with the Executive Director of Finance and Commercial Services.

Background

- 2.3 This report asks Council to note the decision by the commissioners to appoint Adele Taylor to the role of Executive Director Finance and Commercial Services and Section 151 Officer. Ms Taylor will be taking up the post in March following an interview with the Appointments Sub-Committee which recommended the appointment.
- 2.4 Whilst the decision to designate an officer as the Section 151 Officer is normally a decision for full council, the power to appoint and dismiss statutory governance officers is covered by the DLUHC statutory direction, and in this instance the Commissioners have chosen to exercise the powers which that direction has given them to take decisions of this sort.
- 2.5 The selection process involved the Chief Executive and the Appointments Sub-Committee who interviewed potential candidates and made a recommendation to the Commissioners which was accepted.
- 2.6 The appointment of Ms Taylor further strengthens the stability of the corporate leadership team. Updates have been given to the Employment and Appeals Committee on permanent arrangements for the team and with the recent appointment of a permanent Executive Director of People, the corporate leadership team is now made up of a majority of experienced officers on permanent contracts.

3. Implications of the Recommendation

3.1 Financial implications

- 3.1.2 The post is budgeted for and there are no other financial implications.

3.2 Legal implications

- 3.2.2 The appointment of a Section 151 Officer is a statutory duty under Section 151 of the Local Government Act 1972 and Section 6 of the Local Government and Housing Act 1989. The Council has the right to designate and appoint the Section 151 Officer. Appointment of a Section 151 would normally be a decision reserved to elected members in accordance with Part 4.7 of the Council's Constitution. However, under a statutory direction made by the Secretary of State for Levelling-Up, Housing and Communities, certain functions are to be exercised by the appointed commissioners, either acting alone or jointly. This includes the function to appoint to the position of Section 151 Officer and to determine the terms and conditions of employment of such an officer.

3.3 Risk management implications

- 3.3.1 The Section 151 Officer is a statutory post which is critical to the success of the Council. As the Council continues its improvement journey, it is important that there is an individual with sufficient capability and expertise in place to fulfil this function. An appointments sub-committee was convened and the candidate recommended to the Commissioners for appointment had the backing of that Appointment sub-committee.

3.4 Environmental implications

- 3.4.1 There are no environmental implications arising from this report.

3.5 *Equality implications*

- 3.5.1 The statutory post holder should take account of the Council's duties under the Equality Act 2010. The Council as a whole is bound by the requirements of the Equality Act 2010.

4. Background Papers

None

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2. Will undertake a review of what steps other councils who have widened representation have taken to achieve that, with findings reported back to members as above and recommendations implemented where possible - to ensure that going forward we have a Council that truly represents the community of Slough.

3. Will write to the recognised political parties within Slough Borough who fielded candidates at the last round of local elections in the Borough, advising them of the support that is available to them from the LGA and its political groups and sending the parties information about the LGA's 'be a Councillor campaign.'"