

MINUTES OF COUNCIL PROCEEDINGS

At a Meeting of the Council for the Borough of Slough held at The Curve - William Street, Slough, Berkshire, SL1 1XY on Tuesday, 27th September, 2016 at 7.00 pm

Present:- The Worshipful the Mayor (Arvind Dhaliwal), in the chair; Councillors Ajaib, Anderson, Bains, Bal, Bedi, Brooker, Carter, Chahal, Cheema, Chohan, Dar, Davis, Amarpreet Dhaliwal, M Holledge, Hussain, Matloob, Morris, Munawar, Nazir, Pantelic, Parmar, Plenty, Qaseem, Rana, Rasib, Sadiq, A Sandhu, R Sandhu, Sarfraz, Shah, Sharif, Smith, Sohal, Strutton, Swindlehurst, Usmani and Wright

Apologies for Absence:- Councillors Chaudhry, Coad, N Holledge and Mann

21. Declarations of Interest

Councillor Bal declared that his daughter worked at Slough Borough Council.

Councillor Hussain declared that she was Chair of the Member Panel on the Constitution and Slough Wellbeing Board. (Agenda Item 6 & 10)

22. To approve as a correct record the Minutes of the Council held on 26 July 2016

Resolved - That the Minutes of the Council meetings held on 26th July 2016 be approved as a correct record.

23. To receive the Mayor's Communications.

The Mayor announced that the Annual Civic Service would be held at St Mary's Church, on 2nd October 2016. Members were informed that the harvest contributions would be distributed to SHOC and Slough Foodbank.

It was noted that the Armistice Day two-minute silence would be held on 11th November 2016 in Slough High Street followed by Remembrance Sunday Services on 13th November 2016.

24. Questions from Electors under Procedure Rule 9.

The Mayor advised that a question had been received from a resident, a copy of which had been tabled. The questioner was in attendance and following a response to his question, asked a supplementary question. A copy of the question and reply would be forwarded to the questioner.

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25. Recommendations of the Cabinet from its meeting held on 5th September 2016

It was moved by Councillor Bal,
Seconded by Councillor Sohal,

“That the provision of a temporary ice facility on the Montem site at a cost of £336,000 be agreed.”

The recommendation was put to the vote and carried unanimously.

Resolved - That the provision of a temporary ice facility on the Montem site at a cost of £336,000 be agreed.

26. Recommendations of the Slough Wellbeing Board from its meeting held on 20th July 2016

It was moved by Councillor Hussain,
Seconded by Councillor Munawar,

“That the Slough Joint Wellbeing Strategy 2016-20, as attached at Appendix A to the report, be approved.”

The recommendation was put to the vote and carried unanimously.

Resolved - That the Slough Joint Wellbeing Strategy 2016-20, as attached at Appendix A to the report, be approved.

27. Statutory Report of the Council's Monitoring Officer Section 5 Local Government and Housing Act 1989 - Report on proposed unlawful re-designation of the Monitoring Officer role

As the Monitoring Officer was not present, the Mayor outlined the procedure for consideration of the item. The Mayor advised that in absence of the Monitoring Officer, he would move the report and recommendations as set out in the agenda. A supplementary report from the Head of Legal Services had been circulated to all Members of the Council that day, which comprised the Council's response and set out a number of legal implications.

(The meeting was adjourned at 8pm to allow Members an opportunity to read the supplementary report)

(The meeting re-convened at 8.15pm)

The Mayor put the recommendations as set out in the report.

In the ensuing debate a range of issues were raised including a concern that the Monitoring Officer was not present at the meeting and the conflicting legal advice that had been presented for Members consideration by both the Head of Legal Services and Monitoring Officer's submissions. The Mayor stated that the Monitoring Officer had been given the opportunity to both attend the meeting and submit written information to Members at any time. A number of Members

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argued that the report should be deferred for further clarification. The Head of Legal Services reminded Members that the Council had a statutory duty to consider the Monitoring Officer’s report as submitted and that Members should make their decision based on the information available to them.

Recommendation (a)

“That the Council confirm that the Assistant Director, Procurement and Commercial Services remain the designated Monitoring Officer of the Council.”

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

There voted against:

Councillors Ajaib, Bal, Bedi, Brooker, Cheema, Dar, Hussain, Matloob, Munawar, Nazir, Qaseem, Rana, Rasib, Sadiq, A.Sandhu, R.Sandhu, Sarfraz, Shah, Sharif, Sohal, Strutton, Swindlehurst, Usmani and Wright 24

There abstained from voting:

Councillors Anderson, Bains, Carter, Chahal, Chohan, Davis, Amarpreet Dhaliwal, M Holledge, Morris, Pantelic, Parmar, Plenty, Smith and The Mayor, Councillor Arvind Dhaliwal 14

Resolved – That recommendation (a) that the Assistant Director, Procurement and Commercial Services remain the designated Monitoring Officer of the Council be rejected.

Recommendation (b)

“That the Council notes the legal advice which has been received by the Monitoring Officer from Weightmans LLP and Peter Oldham QC.”

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

There voted against:

Councillors Ajaib, Bal, Bedi, Brooker, Cheema, Dar, Hussain, Matloob, Munawar, Nazir, Plenty, Qaseem, Rana, Rasib, Sadiq, A.Sandhu, R.Sandhu, Sarfraz, Shah, Sharif, Sohal, Usmani and Wright 23

There abstained from voting:

Councillors Anderson, Bains, Carter, Chahal, Chohan, Davis, Amarpreet Dhaliwal, M Holledge, Morris, Pantelic, Parmar, Smith, Strutton, Swindlehurst and The Mayor, Councillor Arvind Dhaliwal 15

Resolved - That recommendation (b) that the Council notes the legal advice which had been received by the Monitoring Officer from Weightmans LLP and Peter Oldham QC be rejected.

Recommendation (c)

No vote was taken on recommendation (c) as set out in the report as this was provided for in the recommendations contained in Agenda Item 8 – Appointment of Monitoring Officer.

28. Appointment of Monitoring Officer

It was moved by Councillor Munawar,
Seconded by Councillor Hussain,

“(a) That Linda Walker be appointed as the Council’s Monitoring Officer with effect from 29th September 2016.

(b) That Article 12 of the Councils Constitution be amended accordingly.”

Members sought clarification that consideration of this item would not prejudice the decision taken on the previous agenda item (Statutory Report of the Council’s Monitoring Officer). The Head of Legal Services confirmed that voting on this matter would not prejudice any decision taken on the previous agenda item.

The recommendations were put to the vote and carried unanimously.

Resolved –

(a) That Linda Walker be appointed as the Council’s Monitoring Officer with effect from 29th September 2016.

(b) That Article 12 of the Councils Constitution be amended accordingly.

29. Parliamentary Constituency Boundary Review

It was moved by Councillor Munawar,
Seconded by Councillor Hussain,

“(a) That the commencement of the BCE’s review of Parliamentary constituency boundaries be noted.

(b) That a cross party working group comprising the Leader and five other members (3 Labour Group Members, 1 Conservative Group Member and the UKIP Member) together with relevant officers be established to consider and make recommendations to the Council meeting on 29th November 2016 on the BCE’s initial proposals.”

The recommendations were put to the vote and carried unanimously.

Resolved -

(a) That the commencement of the BCE’s review of Parliamentary constituency boundaries be noted.

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- (b) That a cross party working group comprising the Leader and five other members (3 Labour Group members, 1 Conservative Group member and the UKIP Member) together with relevant officers be established to consider and make recommendations to the Council meeting on 29th November 2016 on the BCE's initial proposals.

30. Review of Constitution and Related Matters

It was moved by Councillor Hussain,
Seconded by Councillor Sadiq,

- “(a) That the proposed new process for meeting notes following Officer/ Member meetings, as set out in paragraph 6.4 of the report, be approved for implementation with immediate effect;
- (b) That the role of Caldicott Guardian be added to the Scheme of Delegation to Officers and that the role be fulfilled by the Head of Adult Social Care.
- (c) That the Terms of Reference for the new Joint Parenting Panel, as set out in Appendix A to the report, be approved for immediate implementation.”

The recommendations were put to the vote and carried unanimously.

Resolved –

- (a) That the proposed new process for meeting notes following Officer/ Member meetings, as set out in paragraph 6.4 of the report, be approved for implementation with immediate effect;
- (b) That the role of Caldicott Guardian be added to the Scheme of Delegation to Officers and that the role be fulfilled by the Head of Adult Social Care.
- (c) That the Terms of Reference for the new Joint Parenting Panel, as set out in Appendix A to the report, be approved for immediate implementation.

31. To consider Motions submitted under procedure Rule 14.

A) Senior Management Structure

It was moved by Councillor Wright,
Seconded by Councillor Morris,

“This Council resolves to urgently review the structure of the senior management team at Slough Borough Council. The high number of “interim” directors and vacancies delivers no value for money for taxpayers and has led to a deterioration in some areas of service delivery. A review into a new senior management structure is needed that will drive permanent employment into key

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senior posts and deliver value for money, transparency, stability and quality services is critically required within the next 12 weeks.”

It was moved by Councillor Munawar, as an amendment,
Seconded by Councillor Hussain,

“This Council resolves to urgently review the structure of the senior management team at Slough Borough Council. ~~The high number of “interim” directors and vacancies delivers no value for money for taxpayers and has led to a deterioration in some areas of service delivery. A review into a new senior management structure is needed that will drive permanent employment into key senior posts and deliver value for money, transparency, stability and quality services is critically required within the next 12 weeks.”~~

The amendment was agreed by the proposer and seconder and this became the substantive motion.

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

There voted for the Motion:

Councillors Ajaib, Anderson, Bains, Bal, Bedi, Brooker, Carter, Chahal, Cheema, Chohan, Dar, Davis, Amarpreet Dhaliwal, M Holledge, Hussain, Matloob, Morris, Munawar, Nazir, Pantelic, Parmar, Plenty, Qaseem, Rana, Rasib, Sadiq, A.Sandhu, R.Sandhu, Sarfraz, Shah, Sharif, Smith, Sohal, Strutton, Swindlehurst, Usmani and Wright 37

There abstained from voting:

The Worshipful the Mayor, Councillor Arvind Dhaliwal 1

There were 0 votes against the motion 0

Resolved – That this Council resolves to urgently review the structure of the senior management team at Slough Borough Council.

B) Parliamentary Constituency Boundary Review

This motion was withdrawn.

32. To note Questions from Members under Procedure Rule 10 (as tabled).

None.

Chair

(Note: The Meeting opened at 7.00 pm and closed at 9.59 pm)