

SIGNIFICANT OFFICER DECISIONS

16 APRIL TO 15 MAY 2014

DECISIONS

N/A (11/14 – 11/14)

DATE OF PUBLICATION:

22ND MAY 2014

DEADLINE FOR MEMBER CALL-IN:

5.00pm on 29th MAY 2014

CONTACT:

Neil Fraser

Democratic Services Officer

01753 875015

SIGNIFICANT OFFICER DECISIONS

BACKGROUND

About this document

Slough Borough Council has a decision making process involving an Executive (Cabinet) and a Scrutiny Function. Part 3 of the Council's Constitution sets out the Responsibility for Functions and Scheme of Officer Delegation. This document lists the decisions taken by officers under this scheme during the period stated.

Distribution

The schedule is circulated monthly to all Members and published on the website. This document, and any reports relating to individual decisions, are published on the Council's website in accordance The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Decisions included in the Schedule

The definition of the categories for 'Significant' Officer Decisions to be included in the Schedule are set out below:

1. Tenders/Contracts over £50,000 or 'sensitive' excluding individual social services care packages and school placements.
2. Exemptions to Competitive Tendering.
3. Redundancies/Early Retirements above 5 in Service area*
4. Decision to commence formal organisational restructuring/consultation.
5. Consultation responses other than technical responses where officers asked for Member views.
6. Write-off of individual debts between £5,000 and £15,000.
7. Decisions arising from external report on significant Health and Safety at Work Act risk.
8. Compulsory Purchase Orders.
9. Action with regard to Petitions in accordance with the Council's Petition Scheme
10. Any exceptions made to the Council's agreed tender procedure as set out in Financial Procedure Rules
11. Consultancies over £5,000 (excluding cover for established posts) or any consultancy/employment offered to former Senior Officers of the Council of 3rd tier and above.
12. Other decisions such as those with political, media or industrial relations implications that Directors consider Members should be aware of.
13. Appointments to casual vacancies on committees, sub committees, Panels, Working Parties and outside bodies
14. Specific decisions that have been delegated to a particular officer by resolution at a Cabinet meeting to be taken following consultation with the relevant Commissioner

*Decisions taken on the Redundancy/Early Retirement of a senior level officer to be reported to Group Leaders, Cabinet and Employment and Appeals Committee.

Call-in

Any Member of the Council may call-in an officer decision specified in this Schedule by following the procedure set out in paragraph 21 of Part 4.5 of the Council's Constitution. Member call-ins must be submitted in writing to the Head of Democratic Services and state the reasons why the request to have the matter considered by Scrutiny has been made. The call-in must be received within five working days of delivery of the publication of the decision (by 5.00pm). Members call-ins of officer decisions will be submitted to the next Overview & Scrutiny Committee for consideration and dealt with in the same way as other post decision call-ins.

Exempt information

Any supporting reports considered by the decision-maker will be published on the website in a separate appendix, unless they contain exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

Further information

The schedule will be published monthly. A copy can be obtained from Democratic Services at St Martin's Place, 51 Bath Road on weekdays between 9.00 a.m. and 4.45 p.m. or Tel: (01753) 875120, email: nicholas.pontone@slough.gov.uk.

A copy will be published on Slough Borough Council's Website: www.slough.gov.uk

Petitions

In accordance with the Council's Petition Scheme and the schedule of Significant Officer Decisions please find below a list of petitions submitted to the Council and a summary the response provided. Further details of the petitions can be found on Slough's website:

<http://www.slough.gov.uk/moderngov/mgePetitionListDisplay.aspx?bcr=1>

Ref: 14-05 Noise Pollution – Network Rail

Petition Received – 2nd April 2014

We the undersigned petition the Council to monitor the environment and investigate complaints, make a judgement of whether or not the pollution constitute a 'statutory nuisance', serve abatement orders if the pollution is judged to be a statutory nuisance and close the railway access via Cherry Avenue.

The right to health, peaceful enjoyment of one's home and to the fundamental human needs of sleep and good health are currently being actively denied to many residents.

The size of traffic using the road and the constant noise levels from Network Rail have increased so much that the residents are extremely stressed and anxious due to loss of peace and sleep. Cherry Avenue is a cul-de-sac and we want Network Rail to close the railway access via our street, repair the damaged grounds and erect sound proof fencing along the lines to mitigate the noise.

The Office of Rail Regulation requires Network Rail to have a sustainability policy but emphasises that they do not do environmental monitoring and that the local authority are the body charged with dealing with environmental health problems.

Response Provided – 30th April 2014

Holding Response:

The Council has undertaken written consultation with Network Rail setting out their concern in respect of disturbance caused to residents of Cherry Avenue due to the rail operator accessing the line from the garages on this street and thereafter undertaking works to the track in that vicinity at antisocial times.

Specifically the Council outlined that action was being considered using the provisions of Section 61 of The Control Of Pollution Act 1974 to prevent works taking place at antisocial hours unless prior approval is given by the Council. In addition the rail operator has been asked to clarify the legal right they were using in order to access the track at this point.

The reply received from Network Rail is currently being considered by the Council's legal department.

Ref: 14-06 Blocked Service Road Issues

Petition Received – 2nd April 2014

We the undersigned had signed this petition to say that we would like something done on the back of our service road that we all have access to but is constantly blocked by British Heart Foundation, 303 High Street, Slough, SL1 1BD. We have all had enough and would like something done about this as this is causing a nuisance to all of our businesses.

Response Provided – 16th April 2014

With reference to the above petition request – Blocked Service Road Issues
The Council is not able to accept this petition as it has fallen below the minimum threshold of 10 signatories.

However the Council Officer has given the following suggestions outlined below:
There are currently existing yellow line parking restrictions along the entirety of this access road. If the lorries are parking on these restrictions, the Council are able to take enforcement action against the vehicles. You can report any breach of the parking restrictions to the enforcement team by calling 01753 825428, and an enforcement officer will attend.

If the lorries are parking in the middle of the carriageway and blocking it, the Police may be able to assist as they have the powers to move vehicles on, as well as issue fixed penalties for obstruction of the highway.

If you have a contact that you have been speaking to at the British Heart Foundation, I am happy to contact them to see if I can give them some advice to help alleviate this problem. Other than this, unfortunately there is little that the Council can do if drivers choose to ignore the restrictions in place and block the road, however I hope that you will find some of the above suggestions useful.

I am sorry that I cannot be of any further assistance on this occasion.

Ref: 14-07 Yellow Lines on Talbot Avenue

Petition Received – 23rd April 2014

We the undersigned write in relation to the Langley Road / Talbot Avenue junction. Over the last 3 - 4 years there has been an increasing amount of cars parked on both sides of the road. This has caused many near misses as well as actual accidents on this junction. When exiting Talbot Avenue vehicles parked on Langley Road give any driver coming out of Talbot Avenue restricted view again causing many problems.

We request that the appropriate road markings (yellow lines) on both sides be placed to ensure safety for all road users.

Response Provided – 6th May 2014

Thank you for submitting the petition on behalf of the residents of Talbot Avenue.
I have added the junction of Talbot Avenue and Langley Road onto our waiting list to have double yellow lines implemented at this location. The waiting list is reviewed annually in October, with a formal consultation period planned to take place early in the New Year. If the consultation yields positive results, the scheme will be implemented soon after the end of this consultation.

I hope this information helps, and if you require any further information please do not hesitate to contact me.