

SIGNIFICANT OFFICER DECISIONS

16 AUGUST TO 15 SEPTEMBER 2015

DECISIONS

N/A

DATE OF PUBLICATION:

18th September 2015

DEADLINE FOR MEMBER CALL-IN:

5.00pm on 25th September 2015

CONTACT:

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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 submitting 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) 875015, email: neil.fraser@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>

15-06 Cheviot Road Shops - Antisocial Behaviour

Petition received: 27th July 2015

We, the undersigned, residents of Cheviot Road, petition against anti-social behaviour associated with the areas next to and behind the Cheviot Road Shops.

Response Received: 24th August 2015

Thank you for submitting the petition about the Anti-Social Behaviour at the rear of the Cheviot Road Shops.

Through our joint working with Thames Valley Police we are aware of the work they have carried out to try and combat some of the Anti-Social Behaviour carried out in the area. We are aware that the area around the old garage site and the rear of the shops has become attractive for those wishing to commit Anti-Social Behaviour however the new properties that are replacing the old garages will result in the area being less attractive. We expect an improvement in the area following the properties being completed as the residents will be passing the rear of the shops on a daily basis.

We again ask that all incidents of Anti-Social Behaviour are reported to the Police on the 101 telephone number as we believe the amount of Anti-Social Behaviour is underreported. Whilst we wait for the properties to become occupied we have introduced a litter picking service so as to see how much alcohol litter is dropped which will take place once a week and will be reviewed on a regular basis.

15-07 Milan Centre Closure

Petition Received: 5th August 2015

On Behalf of the members of the South Asian Community using Milan Community Centre, Queens Road, Slough.

We write expressing our concerns at the uncertainty being raised in the community that the Milan Centre is closing end of this year, the community is scared that they will lose the only venue which caters for all their community needs and the support of dedicated staff. The Milan Community Centre is the only centre in Slough which provides a common platform to members of the South East Asian community with the service supported by Community services staff, the centre provides activities which support the health and wellbeing of the people attending and the community is fearful that their health will deteriorate rapidly if they were not able to attend the centre.

The community have built up excellent relations with the current staff team and due to changes skills will be lost. Change is being imposed on the community without any supporting evidence. There appears to be favouritism shown to other communities in Slough, why is that?

Can we have your support and assurance that the Milan community centre will stay where it is or South Asian Community will be provided with a community centre where a similar service is provided.

Response Received: 1st September 2015

I am writing to formally respond to the above paper petition submitted on Wednesday 5th August, 2015. Thank you for submitting the petition about the proposed closure of the Milan Community Centre.

The Thomas Gray and Milan Centres, which are interlinked, do not provide services unique to the location; instead they provide services for people across the Borough. The Council is looking to release the site for better use in the local community. Over the last three months research has been undertaken on use of the Milan Centre, including numbers using the Centre on an hourly and daily basis, where users travel from, how they travel to the Centre and how they use the Centre.

Focus groups with users have taken place to understand what is important for users about the Centre. Alongside this staff have mapped a range of activities that users could access and identified alternative sites that could be hired. Some users have already started to attend a weekly yoga session at Chalvey Community Centre.

Options were presented to the users on 25th August. We will be working with the users to find which of these best suits their needs and supports their health and wellbeing and look at how we can support individuals to make these options accessible. The Council will continue to support one off events such as EID, Diwali celebrations at its community buildings.

15-08 Stop the sale of land in Cherry Avenue and hold Network Rail to account

Petition Received: 2nd September 2015

We, the undersigned residents of Langley petition the council to stop the sale of land between no 48 & 49 Cherry Avenue, Langley, and also to hold Network Rail to account for causing a 'statutory nuisance'. The right to a healthy, peaceful environment one's home and to the fundamental human needs of sleep and good health are currently being actively denied to many residents of Cherry Avenue. We call upon the Slough Council to:

1. Close the access to the railway lines between no 48 & 49 Cherry Avenue, (this is also the

access for the 12 garages either side of the land).

2. Stop Network Rail and their subcontractor's vehicles from requiring access to Cherry Avenue. a residential cul-de-sac.
3. Contact the Government Legal Department and assist the residents of Cherry Avenue with a 'Communities Right to Bid' to stop the sale of the land between no 48 & 49.
4. Monitor the environment and investigate complaints.
5. Make a judgement as to whether or not the pollution, both noise and atmospheric, constitutes a 'statutory nuisance', and if proved true, to serve abatement orders to those causing the 'nuisance'.

The office of Rail Regulation requires Network Rail to have a sustainability policy but emphasizes that they not do environmental monitoring and that the local authority are the body charged with dealing with environment health problems. There is an issue and the council are aware, about network rail using a piece of land as an access route to the rail lines behind Cherry Ave and this causing residents nuisance and misery.

This land has always been maintained and looked after by the residents that own the garages either side of it, dating back to as early as 1960's. The land provides a secure play area for the children and is also the access point to the garages. The issue now is that the land between no 48 & 49 (which we've found out is owned by the Government Legal Department formerly known as the Treasury) is up for sale by Auction (freehold), no doubt Network Rail will express an interest.

The residents are quite concerned that this issue has gone on for so long without a resolution favouring the residents, and even more concerned that the council cannot seem to hold Network Rail to account. The auction is on 8th September.

Response Received: 11th September 2015

I am writing in response to your above paper petition submitted to the Council on Wednesday 2nd September, 2015.

Although we have received complaints about noise from work relating to the access point at the garages at Cherry Avenue in the past, the Council has not carried out a full noise investigation. As such we are not in the position to take any formal abatement action in relation to noise or any other issue of nuisance. I have therefore responded to your points accordingly.

1. We do not have the power to close an area of private land. In areas where we have substantial evidence over a given period of time, e.g. 6 months, we may consider gating an area. However, I understand that this has been looked into by Community project officer, Esther Masters and there was not evidence for this. Even if the area was to be gated, Network Rail have advised us that they would still require access.
2. Cherry Avenue is public land and the Council therefore are not legally able to prevent access.
3. I understand that the sale of the land has already been completed and that Network Rail have purchased the land. However, the Council itself would not have been able to nominate an asset of community value. It is the Council's role to access the nomination against the following criteria:

- How the asset will enhance social wellbeing through alleviating poverty, creating employment, improving health or increase educational attainment and;
- How the asset will enhance social interests, which includes cultural, recreational and sporting,
- They have the skills, plans, management structure, resources and finance in place to manage the asset.

Only an eligible 'Community Group' can make a nomination and full details of the nomination/assessment and the nomination form can be found on the Council's website (<http://www.slough.gov.uk/business/land-and-property/asset-ofcommunity-value.aspx>).

4. We will monitor the area in receipt of any noise complaints made in relation to any new issues of noise. The complainant(s) will be asked to complete noise diary sheets which upon receipt, the investigating officer will assess the diary sheets decide whether further monitoring is necessary. Any complaints received will also be discussed with Network Rail to arrive at an early solution if there is a current noise issue.

5. The assessment of the completed noise diary sheets, any monitoring (including any monitoring carried out by a noise recorder if necessary), will determines whether a statutory nuisance exists. If a statutory nuisance does exist, we will consider the most appropriate course of action to abate the nuisance.

I have been liaising with Network Rail and will continue to do so regarding the concerns that the residents have raised. Please be assured that it is our intention to arrive at a solution by working with Network Rail and the residents to ensure that any use of the land does not cause a nuisance.