



## **SWINDON BOROUGH COUNCIL**

**Municipal Year 2015/16**

**Meeting of Council on Thursday, 23 July 2015**

### **ITEM - MINUTES OF OTHER COUNCIL BODIES**

#### **SECTION 1 - SPECIAL, AUDIT AND STANDARDS COMMITTEES**

1. Minutes of meeting Monday, 8 June 2015 of Special Committee (Pages 7 - 8)
2. Minutes of meeting Tuesday, 21 April 2015 of Audit Committee (Pages 9 - 12)
3. Minutes of meeting Tuesday, 16 June 2015 of Audit Committee (Pages 13 - 18)

#### **SECTION 2 - OVERVIEW AND SCRUTINY COMMITTEES**

4. Minutes of meeting Monday, 23 March 2015 of Scrutiny Committee (Pages 21 - 26)
5. Minutes of meeting Monday, 27 April 2015 of Scrutiny Committee (Pages 27 - 30)
6. Minutes of meeting Monday, 22 June 2015 of Scrutiny Committee (Pages 31 - 36)
7. Minutes of meeting Wednesday, 4 March 2015 of Health, Adult and Children Services Overview and Scrutiny Committee (Pages 37 - 44)
8. Minutes of meeting Thursday, 19 March 2015 of Resources Overview and Scrutiny Committee (Pages 45 - 46)

9. Minutes of meeting Wednesday, 10 June 2015 of Streetsmart and Highways Overview and Scrutiny Committee (Pages 47 - 48)

### **SECTION 3 - REGULATORY COMMITTEES**

10. Minutes of meeting Tuesday, 14 April 2015 of Planning Committee (Pages 51 - 52)
11. Minutes of meeting Tuesday, 9 June 2015 of Planning Committee (Pages 53 - 54)
12. Minutes of meeting Friday, 22 May 2015 of Licensing Committee (Pages 55 - 56)
13. Minutes of meeting Thursday, 21 May 2015 of Licensing Panel (Pages 57 - 58)
14. Minutes of meeting Wednesday, 27 May 2015 of Licensing Panel (Pages 59 - 60)
15. Minutes of meeting Tuesday, 23 June 2015 of Licensing Panel (Pages 61 - 68)
16. Minutes of meeting Tuesday, 23 June 2015 of Licensing Panel (Pages 69 - 74)
17. Minutes of meeting Friday, 22 May 2015 of Appeals Committee (Pages 75 - 76)
18. Minutes of meeting Monday, 20 April 2015 of Education Transport Appeals Sub-Committee (Pages 77 - 78)
19. Minutes of meeting Friday, 22 May 2015 of Appointments Committee (Pages 79 - 80)

### **SECTION 4 - CHILDREN SERVICES BODIES**

20. Minutes of meeting Thursday, 12 March 2015 of Swindon Children's Trust Board (Pages 83 - 88)
21. Minutes of meeting Tuesday, 17 March 2015 of Schools Forum (Pages 89 - 92)

### **SECTION 5 - POLICE AND FIRE AUTHORITIES**

22. Minutes of the meeting Tuesday, 5 March 2015 of the Wiltshire Police and Crime Panel (Pages 95 - 110)
23. Minutes of the meeting Monday, 11 May 2015 of the Wiltshire Police and Crime Panel (Pages 111 - 114)
24. Minutes of the meeting Thursday, 18 June 2015 of the Wiltshire Police and Crime Panel (Pages 115 - 122)
25. Minutes of the meeting Thursday, 11 June 2015 of the Wiltshire and Swindon Fire Authority (Pages 123 - 132)
26. Minutes of the meeting Tuesday, 23 June 2015 of the Dorset and Wiltshire and Swindon Fire Service Shadow Board (Pages 133 - 142)
27. Minutes of the meeting Wednesday, 15 April 2015 of the Town Twinning Network (Pages 143 - 144)

- 28.** Minutes of the meeting Wednesday, 3 June 2015 of the Town Twinning Network  
(Pages 145 - 148)
- 29.** Minutes of the meeting Tuesday, 24 March 2015 of the One Swindon Board  
(Pages 149 - 154)

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## **Section 1**

# **Special, Audit and Standards Committee Minutes**

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## **SPECIAL COMMITTEE**

**MONDAY, 8 JUNE 2015**

**PRESENT:-** Councillors David Renard (Chair), Fionuala Foley, Brian Ford, Jim Grant, Dale Heenan, Brian Mattock (Vice-Chair), Des Moffatt, Stan Pajak, Garry Perkins and Steve Allsopp (Deputy).

Apologies for absence were received from Councillors Junab Ali and Kevin Small.

### **1. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

### **2. Minutes**

Resolved – That the minutes of the meeting held on 15<sup>th</sup> December 2014 be confirmed and signed as a correct record.

### **3. Public Question Time**

No public questions were asked under Standing Order 28.

### **4. Exempt Items - Exclusion of Press and Public**

Resolved – That, in accordance with Section 100A (4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in Agenda Item No. 6 of the Notice of the Meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned. (Minute 5 refers.)

### **5. Chief Officers - Chief Officer Severance Payment**

The Chief Executive submitted a report concerning the application of the Chief Officer Severance Matrix, previously approved by the Committee (Minute 15, 2013/14 refers), in relation to employee 1438675 whose role was to be made redundant with effect from 19<sup>th</sup> June 2015.

The Board Director, Resources and the Head of Performance, People and Engagement commented on the background to the report and the work that was continuing to be undertaken to develop a future operating model for the service concerned. They explained the background to the redundancy arising and why it was believed the actions proposed were in the best interests of the Council as it moved forward.

Resolved – That, the Special Committee, on behalf of the Council, approves that the Chief Officer Severance Matrix be applied to the redundancy of Employee 1438675, and that a payment of two month's salary be made to take account of the length of service (Criteria 1) and an additional one month's payment be made in

relation to the extent of responsibility and level of risk (Criteria 3), resulting in a total payment of £20,017.50p.



### AUDIT COMMITTEE

TUESDAY, 21 APRIL 2015

PRESENT:- Councillors Steve Weisinger (Chair), Steve Allsopp, Oliver Donachie, Mark Edwards and Des Moffatt.

Apologies for absence were received from Councillors Neil Heavens and Nick Martin.

#### **41. Declarations of Interest**

The Chair reminded members of the need to declare known interests in any matters to be considered at the meeting. Councillor Oliver Donachie made a non-prejudicial declaration of interest with regard to references in several agenda items to “Public Power Solutions”, in his capacity as a Council-appointed non-executive director of that body.

#### **42. Public Question Time**

There were no public questions.

#### **43. Minutes**

Resolved - That the minutes of the meeting held on 3<sup>rd</sup> March 2015 be confirmed and signed, subject to the inclusion of Councillor Swinyard in the list of attendees and an apology for absence received from Councillor Mark Edwards..

#### **44. Treasury Strategy Statement 2015/16**

The Committee received a report on the Council's Treasury Management Strategy for 2015/16, including Prudential Indicators up to 2016/17, the Annual Investment Strategy, and the Minimum Revenue Provision Policy Statement. Paul Smith, the Council's Head of Finance, Housing, Treasury and Growth, presented the report, expanding on the following key elements of the strategy:

- the Council's current debt portfolio position.
- the prospects for interest rates and the economic outlook.
- the minimum revenue provision policy statement.
- the Council's borrowing strategy.
- the investment strategy, the creditworthiness policy, investment strategy and investment periods; and
- the Council's policy on use of external service providers.

Following his introduction of the strategy, Mr Smith and the Board Director, Resources, responded to members' questions and observations on the following issues:

- The Council's internal borrowing mechanism and associated tax implications.
- The borrowing strategy and the borrowing assumptions made.
- The net borrowing carried forward and the actual Housing Revenue Account debt.

- Private Finance Initiative liabilities.
- The changes to the credit rating methodology and “Credit Default Swaps”
- The portfolio position forecasts and the maturing debt position.
- The Council’s revised banking arrangements and implications for direct debit and standing order payments.

Resolved – (1) That the Treasury Management Strategy, Minimum Revenue Provision Policy and Prudential Indicators, as set out in Appendix 1 to the report, be endorsed.

(2) That the position with regard to the Council’s bankers, as detailed at paragraphs 3.11 and 3.12 of the report, be noted.

(3) That the position on investment returns, detailed in paragraphs 3.13 to 3.16 of the report, and the increase in investment periods to a maximum of 2 years, as detailed in the Treasury Management Strategy, be also noted.

#### **45. Internal Audit report - Treasury Management**

The Committee received a report of the Head of Internal Audit on the key findings of the Annual Internal Audit of the Council’s Treasury Management process.

Resolved – That the report be noted.

#### **46. Annual Statement of Accounts Update 2014/15**

The Committee received a report of the Board Director Resources, providing an update on the progress towards the completion of the 2014/15 Statement of Accounts. The report also summarised areas of the Code that had been reviewed for 2014/15, and local areas that were being reviewed in closing the 2014/15 accounts, and highlighted the more significant changes to the Code in 2016/17 to reflect requirements to report the valuation of transport infrastructure assets.

Resolved – (1) That the report be noted.

(2) That the accounting policies for 2014/15 be confirmed.

#### **47. Internal Audit Plan: 2015/16**

The Head of Internal Audit submitted a report setting out the draft Audit Annual Plan for 2015/16.

Resolved – That the draft Internal Audit Plan for 2015/16 be approved.

#### **48. External Audit Reports**

##### **(i) Audit Plan 2014-15**

Liz Cave (Grant Thornton) presented the Audit Plan for 2014/15, detailing the work to be undertaken in relation to the audit of the key challenges and opportunities the Council is facing, the impact on the Audit Plan of key developments in the public sector and national audit requirements, as set out in the Code of Audit Practice, and in support of the Value for Money conclusion. Ms Cave also guided the Committee through the summary of the findings of the External Auditors’ interim audit work, and the impact of the findings on the accounts audit approach, the key dates of the audit cycle and fees for the Council audit and other services agreed at the time of

the issue of the Audit Plan.

Resolved – That the External Auditors' Audit Plan 2014/15 be accepted.

(ii) Audit Committee Update

Chris Hackett (Grant Thornton) presented a report advising the Committee of the External Auditors' progress, as at 8 April 2015, in respect of the delivery of their audit responsibilities. The report also included a summary of key emerging national issues and developments that might be of interest to the Committee.

Resolved – That the report and supporting papers be noted.

**49. Letter to those charged with governance**

The Committee received a report of the Head of Internal Audit on the requirement for the External Auditor, as part of their audit of the Council's financial statements and in order to comply with the International Auditing Standards (UK and Ireland), to make inquiries of both management and the Audit Committee as to their knowledge of any actual, suspected or alleged fraud. The Committee also noted that there was an obligation placed on auditors by International Auditing Standards to document Management's view on some key areas affecting the financial statements.

Resolved - That the responses submitted by the Chair on behalf of the Audit Committee and by management, appended to the report, be noted.

**50. Head of Internal Audit Update**

The Committee received a report of the Head of Internal Audit summarising the main issues arising from the Internal Audit reports finalised since the last Audit Committee meeting in March 2015, progress made against the Annual Internal Audit Plan 2014/15 and Internal Audit staffing and resource issues.

Resolved – (1) That the report be noted.

(2) That the recently completed "Corporate Building Statutory Compliance" internal audit report be submitted for consideration at the meeting of the Committee to be held in June 2015.

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### AUDIT COMMITTEE

TUESDAY, 16 JUNE 2015

PRESENT:- Councillors Steve Weisinger (Chair), Steve Allsopp, Michael Bray, Oliver Donachie, Des Moffatt, Maureen Penny, Kevin Small and Timothy Swinyard.

Apologies for absence were received from Councillors Mark Edwards and Nick Martin and from Liz Cave (Grant Thornton).

#### 1. **Appointment of Vice-Chair**

Resolved – That Councillor Mark Edwards be Vice-Chair of the Audit Committee for the Municipal Year 2015/16.

#### 2. **Declarations of Interest**

The Chair reminded members of the need to declare known interests in any matters to be considered at the meeting. Councillor Oliver Donachie made a non-prejudicial declaration of interest with regard to the report on Isambard Community School, in that he has children attending that school.

#### 3. **Public Question Time**

There were no public questions.

#### 4. **Minutes**

Resolved - That the minutes of the meeting held on 21<sup>st</sup> April 2015 be confirmed and signed.

#### 5. **Internal Audit reports identifying 'significant' risk or 'of concern': Isambard School**

Further to Minute 6 (2014/15), the Committee received a follow-up review of the initial audit report on Isambard Community School, which report had identified a number of fundamental control weakness that jeopardised the school's financial stability and performance and had resulted in the overall risk assessment to the Council as being significant.

The Committee noted that the follow-up review, completed in May 2015, had concluded that the School had made significant improvements since the previous audit and that, of twelve high priority recommendations made in the previous report, six have been implemented and six are in progress and only two out of the total twenty recommendations remained outstanding.

Kevin Gray, the Chair of Governors for Isambard Community School, and Sue Banks, the School's Acting Head, were in attendance to provide a current position statement in relation to the implementation of the internal audit recommendations and to respond to members' questions on issues raised regarding the key findings of the audit and identified risk areas, the management response to the audit

conclusions and key recommendations, and progress in implementing the action plan to mitigate risks.

Resolved – (1) That the report, and the success of Isambard Community School in making significant improvements since the initial audit, be noted and welcomed.  
(2) That a further report, providing the Committee with an update on the school's progress in relation to the achievement of the remaining key objectives be submitted in 12 months' time.  
(3) That the Audit Committee recognises and commends the work done by Councillor Mark Edwards in assisting Isambard Community School in delivering against the audit review recommendations.

## **6. Treasury Management - Annual Report**

The Committee received a report of the Board Director, Resources, setting out the 2014/15 Capital Programme position as at the end of March 2015 and the Treasury Management performance for 2014/15.

Resolved – (1) That the 2014/15 Capital Programme position as at financial year end be noted.  
(2) That the changes to the Capital Programme, detailed in paragraphs 3.4 to 3.7 of the report, be approved.  
(3) That the 2014/15 Treasury Management performance, as detailed at paragraphs 3.10 to 3.21 of the report, and Prudential Indicators shown at Appendix 2 to the report, be noted.

## **7. Draft Annual Statement of Accounts 2014/15**

The Committee received a report providing an update on the current position in relation to the preparation of the Council's Annual Statement of Accounts for 2014/15. The Board Director Resources introduced the report and, with the Finance Manager, Housing, Treasury and Growth, expanded on a number of matters relating to the preparation of the statement of accounts, particularly the reclassification of investment assets under the Code as operational assets, the conclusion that the local position on schools' assets should be that such assets remain off balance sheet, and the retention of long-term leisure assets on the Council's balance sheet.

Following their introduction of the report, the Board Director and Finance Manager responded to members' specific queries and observations regarding the detail of the Draft Statement of Accounts, including the format for the presentation of the accounts, and the final accounts' process.

Resolved – That the report be noted.

## **8. Internal Audit reports identifying 'significant' risk or 'of concern': Corporate Buildings: Statutory Compliance**

The Committee received a follow-up review of the initial audit report on "Corporate Buildings: Statutory Compliance", which review, completed in March 2015, had concluded that the impact and materiality of statutory compliance for corporate buildings is considered to be high and combined with the auditor's opinion that system controls have fundamental weaknesses, gives an overall risk to the Council

of 'significant'. It was noted that the review had been requested by the Head of Property Maintenance, who had become responsible for these services following the reintegration of Swindon Commercial Services.

The Committee noted that the follow-up review had established that the audit recommendations had been taken forward positively by the Head of Property Maintenance and his team and that considerable progress had been achieved in implementing all key recommendations. The Committee also noted that completion of over 200 annual asbestos surveys has been progressed and that the remaining 35 properties were scheduled for inspection by August 2015.

The Council's Head of Property Maintenance was in attendance to provide a current position statement in relation to the implementation of the internal audit recommendations and to respond to members' questions on issues raised regarding identified risk areas, the management response to the audit conclusions and key recommendations, and progress in implementing the action plan.

Resolved – (1) That the report, and the management response to the audit review recommendations, be noted.

(2) That members' concerns regarding the control environment around major organisational changes and the assurance arrangements in place to effectively manage the impact of such organisational changes, be noted.

#### **9. Audit Committee: Annual Report 2014/15**

The Chair of the Committee introduced the Committee's Annual Report for 2014/15.

Resolved – (1) That the report be noted.

(2) That the officers and the external auditors be thanked for their hard work in support of the Committee and the Council's audit function.

#### **10. Audit Committee: Terms of Reference and Work Plan**

The Committee received a report of the Head of Internal Audit on the Audit Committee's terms of reference and details of the Committee's draft work programme for 2015/16.

Resolved – That the terms of reference and work programme, appended to the report, be approved.

#### **11. Head of Internal Audit Annual Report**

The Committee received the Head of Internal Audit's Annual report for 2014/15. It was noted that it was a requirement of the Public Sector Internal Audit Standards that the Head of Internal Audit deliver an annual internal audit opinion and report that could be used by the organisation to inform its governance statement and that the annual internal audit opinion must conclude on the overall adequacy and effectiveness of the organisation. The Annual Report provided the Committee with assurance from the Head of Internal Audit regarding the work of the Internal Audit section and his opinion with regard to the Council's overall arrangements for internal control.

Resolved – That the report and, in particular, the Head of Internal Audit's overall opinion that the Council's internal control arrangements relating to its main financial systems during 2014/15 were found to be satisfactory, resulting in an overall risk assessment to the Council as being 'moderate', be noted.

## **12. DRAFT Annual Governance Statement**

The Head of Internal Audit submitted a report providing the Committee with details of the draft Annual Governance Statement 2014/15, setting out the Council's governance arrangements and providing an assessment of the performance of those arrangements over the year.

Resolved – (1) That the draft Annual Governance Statement 2014/15, appended to the report, be approved.

(2) That it be noted that the final version of the Annual Governance Statement would be submitted to the next meeting of the Audit Committee, to be approved for signing off by the Leader of the Council and the Chief Executive in September 2015.

## **13. External Audit Reports**

### **(i) Audit Plan 2014-15**

Further to Minute 48 (2014/15), Chris Hackett (Grant Thornton) presented an updated version of the Audit Plan for 2014/15, accepted by the Audit Committee at its meeting on 21<sup>st</sup> April 2015. It was noted that the Audit Plan had been amended to delete the initial assessment of Welfare Expenditure (Housing Benefits) as a transaction stream where there was a reasonably possible risk of material misstatement.

Resolved – That the revised External Auditors' Audit Plan 2014/15 be accepted.

### **(ii) Audit Committee Update**

Chris Hackett (Grant Thornton) presented a report advising the Committee of the External Auditors' progress, as at 16 June 2015, in respect of the delivery of their audit responsibilities. The report also included a summary of key emerging national issues and developments that might be of interest to the Committee.

Resolved – That the report and supporting papers be noted.

(Councillor Oliver Donachie made a non-prejudicial declaration of interest in respect of any discussion by the Committee of matters relating to Public Power Solutions, in his capacity as a non-executive director of that organisation.)

## **14. Internal Audit: Strategic Fraud Update**

The Committee received a report of the Head of Internal Audit on the effectiveness of Internal Audit's counter fraud and error arrangements within the Council.

Resolved – That the report be noted.

## **15. Head of Internal Audit Update**



The Committee received a report of the Head of Internal Audit summarising the main issues arising from the Internal Audit reports finalised since the last Audit Committee meeting in April 2015, progress made against the Annual Internal Audit Plan 2014/15 and Internal Audit staffing and resource issues.

Resolved – (1) That the report be noted.

(2) That, in addition the Audit reports scheduled for consideration at the next meeting of the Committee, the Head of Internal Audit liaise with the Chair regarding the outcome of pending audits and that the Chair determine which, if any, of these should also be reported to the September meeting for consideration.

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## **Section 2**

### **Overview and Scrutiny Committee Minutes**

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**SCRUTINY COMMITTEE**

**MONDAY, 23 MARCH 2015**

PRESENT:- Councillors Robert Wright (Chair), Mark Dempsey, Toby Elliott, Colin Lovell, Mary Martin (Vice-Chair), Cindy Matthews, Kevin Parry, Maureen Penny, James Robbins, Vera Tomlinson and Steve Weisinger.

Councillors David Renard, Leader of the Council and Chair of Cabinet, Brian Ford, Cabinet Member for Streetsmart, Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, Russell Holland, Cabinet Member for Finance, Richard Hurley, Cabinet Member for Communities and Volunteering, and Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills were also in attendance.

Apologies for absence were received from Councillor John Ballman and Cabinet Members Councillors Fionuala Foley and Emma Faramarzi.

**59. Section 100B(4)(b), Local Government Act 1972**

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Chair advised the meeting that the following item would be considered as a matter of urgency on the grounds stated.

To confirm a change to the membership of the Scrutiny Committee's Task Group established to review the Local Resilience Forum's independent, multi-agency debrief of the Averages' Fire incident.

To avoid any unnecessary delay in convening the requisite meeting(s) of the task group.

**60. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

Councillor Toby Elliott made a non-prejudicial declaration of interest with regard to the Committee's consideration of matters relating to the Superfast Broadband Extension Programme (Cabinet Minute 72 refers) on the basis that a petition on this subject had been submitted to him.

**61. Public Question Time**

Mr Richard Symonds, a local resident, asked questions regarding the Capital Programme Monitoring report to the Cabinet meeting on 18<sup>th</sup> March and, specifically, proposals relating to Thamesdown Transport. Councillor Russell Holland, the Cabinet Member for Finance responded to Mr Symonds' questions. Mr Symonds asked a further question regarding the proposals and the expectancy of improved bus services as a result. It was agreed that the Council's representative on the Board of Thamesdown Transport should raise this matter at the next Board meeting.

Councillor Colin Lovell made a non-prejudicial declaration of interest in respect of the Committee's consideration of matters relating to Thamesdown Transport, in his capacity as the Council's representative on the Board of Thamesdown Transport.

Mr Terrence Reynolds, a local resident, asked a question regarding his allegations, submitted to the Council, of illegal car parking in areas of Gorse Hill, Swindon. Councillor Garry Perkins, the Cabinet Member for Economy, Regeneration and Skills, responded to Mr Reynolds' question.

**62. Minutes**

Resolved – That the minutes of the meeting held on 9<sup>th</sup> February 2015 be confirmed and signed as a correct record.

**63. Averies' Fire Task Group - Membership**

The Committee was invited to confirm the membership of its Task Group to review the Local Resilience Forum's independent, multi-agency report on the Averies' Fire incident.

Resolved – That the membership of the Scrutiny Committee's Task Group to review the Local Resilience Forum's independent, multi-agency debrief of the Averies' Fire incident be amended as follows:

Councillor Colin Lovell to replace Councillor Toby Elliott.

**64. Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 18 March 2015.

*72. Superfast Broadband Extension Programme*

Councillor Garry Perkins, the Cabinet Member for Economy, Regeneration and Skills, supported by the Council's Board Director Resources and its Head of Commissioning - Economy /Attainment, the Superfast Broadband Project Manager and representatives of Analysys Mason, the Council's independent technical advisors on the proposal, responded to questions put by the Chair and Councillors Mark Dempsey, James Robbins, Cindy Matthews, Toby Elliott, Maureen Penny, Vera Tomlinson, Steve Weisinger, Steve Wakefield and Mary Martin on the following issues:

- The level and outcome of market testing undertaken in respect of this new proposal and the subsequent assessment of demand for the service.
- The scale of the potential new market, the possible limited choice of Internet Service Providers (ISPs) and the consequent cost implications for consumers.
- The levels of existing Superfast Broadband coverage in the borough and the anticipated increase in coverage as a result of this proposed roll-out of the core UKB Networks.

- The management of consumer expectations of a fibre solution to internet coverage issues.
- The level to which it is anticipated this proposal will contribute to the Council's priority to secure "right skills, right jobs in the right places".
- The commissioning process and, specifically, the specifications of the OJEU bidding process.
- The total public funding approved in respect of the Council's participation in the Superfast Broadband Extension Programme and the amount committed to the UKBN proposal.
- The requisite planning permissions for the scheme to proceed and the position in the event that these permissions are not forthcoming.
- The importance to the successful outcome of the scheme of close co-operation with Parish and Town Councils to identify viable options that represent value for money in terms of achieving the most extensive Superfast Broadband coverage.
- The apparent failure to consult with Ward Members regarding the superfast broadband extension programme and the viability of alternative solutions for broadband coverage in their areas.
- The likelihood that the UKBN proposed solution will be able to provide Superfast Broadband to 100% of Swindon Borough households.
- The requirement for state aid approval for the scheme from the Department of Media, Culture and Sport.
- The withdrawal of a number of organisations from the procurement process due to their inability to comply with the Council's requirements and contractual obligations, or for commercial reasons.
- The "future proofing" of the proposed solution and the contractual requirement of the contractor to meet performance specifications.
- The retained ownership of material uploaded to the internet.
- The value for money of the scheme and the feasibility of reducing the cost of a superfast broadband scheme through collaboration with other local authorities.
- The restrictions the scheme might place on the future provision of fibre solutions in Urban intervention areas.
- The requirement for the Council to undertake "demand stimulation" as part of its arrangement with BDUK.
- Signal spectrum usage rights and the Ofcom requirement that the scheme will not cause any interference with other local signals.

Resolved – (1) That Minute 72 of the Cabinet be noted.

(2) That it be noted that, in response to a request by Councillor Des Moffatt at the Cabinet meeting on 18<sup>th</sup> March, a presentation had been arranged for all members of the Council, at 6.45 p.m. on Tuesday 24<sup>th</sup> March, when the preferred supplier would expand on the detail of the proposal and respond to members' questions on the issues raised.

### 73. *Budget Management 2014/15*

Resolved - That Minute 73 of the Cabinet be noted.

*74. Capital Programme Monitoring - Third Quarter 2014/15 (Minute for Confirmation - Minute 74(3))*

Councillor Russell Holland, Cabinet Member for Finance, responded to questions put by the Chair regarding:

- The allocation and usage of s106 monies.
- The proposed new lease arrangements with Thamesdown Transport to provide additional liquidity to the company without placing further revenue pressures on the Council.

Resolved - That Minute 74 of the Cabinet be noted.

*75. Housing Revenue Account Medium Term Financial Plan*

In the absence of Councillor Emma Faramarzi, the Cabinet Member for Housing and Public Safety, Councillor David Renard, Leader of the Council and Chair of Cabinet, responded to a question put by the Chair concerning the adequacy of consultation with the Housing Advisory Group on this proposal.

Resolved - That Minute 75 of the Cabinet be noted.

*76. Adoption of the Swindon Borough Local Plan 2026 (Minute for Confirmation)*

Councillor Dale Heenan, the Cabinet Member for Strategic Planning, Sustainability and Transport, responded to a question put by Councillor Mark Dempsey regarding the Inspector's most significant modifications to the Local Plan and, in particular, the modification to Policy SD2, requiring that the strategy be reviewed by 2016 at the latest.

Resolved - That Minute 76 of the Cabinet be noted.

*77. Community Infrastructure Levy (CIL) (Minute for Confirmation)*

Councillor Dale Heenan, the Cabinet Member for Strategic Planning, Sustainability and Transport, responded to a question put by Councillor Toby Elliott regarding the process for CIL regulation changes.

Resolved - That Minute 77 of the Cabinet be noted.

*78. School Admission Arrangements 2016/17*

In the absence of Councillor Fionuala Foley, the Cabinet Member for Children's Services, Councillor David Renard, Leader of the Council and Chair of Cabinet, responded to questions put by Councillors James Robbins and Mark Dempsey on the following issues:

- The impact of University Technical College admissions on pupil numbers in local secondary schools.



- The Council's role in promoting high educational standards in schools and addressing the issue of pupils choosing to find places in educational establishments outside the borough.

Resolved – (1) That Minute 78 of the Cabinet be noted.

(2) That, as part of the establishment of the Overview and Scrutiny Committees' work programmes for 2015/16, consideration be given to the inclusion of a review of the effectiveness of Academies in promoting high educational standards.

#### 79. *Strategic Transport Infrastructure and Transport Strategy*

Councillor Dale Heenan, the Cabinet Member for Strategic Planning, Sustainability and Transport, responded to questions put by the Chair and Councillors Mark Dempsey and Toby Elliott on the following issues:

- The anticipated critical outcomes of the proposed new Strategic Transport function.
- The funding of the new Transport Manager post and whether this constitutes value for money in the opinion of the Cabinet Member.
- The ability for members to influence the strategy in order to minimise the impact of infrastructure and transport schemes in their ward areas, particularly in relation to journey times and environmental impacts on adjoining areas.

Resolved - That Minute 79 of the Cabinet be noted.

#### 80. *Capacity Building, Community Action and Volunteering*

Councillor Richard Hurley, the Cabinet Member for Communities and Volunteering, responded to questions put by the Chair and Councillors James Robbins and Maureen Penny on the following issues:

- Localities Team resources and the support provided by the newly-designated Community Programme Leads.
- The targeted community action programmes and the absence of any specific reference to programmes relating to work in support of children's services.
- The anticipated impact of the proposed changes on the way that Localities teams deliver support to councillors and communities in the rural areas.
- The monitoring of Projects funded by community grants to determine that these are successful in developing and sustaining community capacity and the allocation of any unused funding.
- The changes to Localities Team resources and the background to the proposal that support for devolved decision-making and locally-based delivery be strengthened through the realignment of other resources within existing budgets (paras 3.13 and 3.14 of the report refer).

Resolved - That Minute 80 of the Cabinet be noted.

## **65. Cabinet Member Question and Answer Session - Cabinet Member for Finance**

Councillor Russell Holland, Cabinet Member for Finance, was in attendance and presented a detailed report summarising progress and performance in respect of each of the following service areas within his portfolio of responsibility:

- Financial Management (Revenue and Capital Programme).
- Finance Management Overview.
- Preparing Future Year's Budget and Medium Term Financial Plan.
- Procurement.
- Revenue and Benefits Services.
- Value for Money.
- Developing the medium term financial strategy.

At the request of the Chair, Councillor Holland, in his presentation of the report, commented specifically on those elements within his portfolio that he felt had been most successful, those where a different approach might have produced better results and the lessons that might have been learned as a consequence, and the challenges he expected to be faced by the Council relation to these service areas in the coming year and beyond, particularly in relation to on-going budgetary constraints.

Following his presentation of the report, Councillor Holland responded to members' specific questions and observations on the following matters.

- The potential for continuing reductions in financial resources for local authorities and the review of service areas to identify where further efficiency savings can be achieved.
- The significant and on-going challenges for the Cabinet Member's portfolio and engagement with the electorate to manage future expectations regarding the Council's service delivery capabilities.
- The impact of the increasing level of demand for adult social care and the consequent pressure on hospital services.
  - The integration of NHS and local authorities adult social care services.
- Eligibility for universal credits.
- The Cabinet Member's view of the current role of the Resources Overview and Scrutiny Committee and how this might be enhanced to make the most effective contribution to the Council's budget setting process.
- The reduced numbers of Housing Benefit and Council Tax support claims.
  - The availability of debt advice for claimants.
- The transfer of building assets to external management groups and responsibility for significant maintenance and structural works that are subsequently identified as being necessary to maintain the viability of the building.

Resolved – That Councillor Holland be thanked for attending the meeting to present this performance report and for his full and open responses to members' questions and observations on the issues raised.

### SCRUTINY COMMITTEE

**MONDAY, 27 APRIL 2015**

PRESENT:- Councillors Colin Lovell, Mary Martin (Vice-Chair), Cindy Matthews, Kevin Parry, Maureen Penny, James Robbins, Vera Tomlinson, Steve Weisinger, Robert Wright (Chair), Michael Bray, Des Moffatt and Steve Wakefield

Councillors David Renard, Leader of the Council and Chair of Cabinet, Brian Mattock, Deputy Leader and Cabinet Member for Health and Adult Social Care, Peter Watts, Russell Holland, Brian Mattock, David Renard and Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport.

Also in attendance: Councillor Peter Watts

Apologies for absence were received from Councillors Stan Pajak

#### **66. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

Councillor Steve Wakefield declared a personal and non-prejudicial interest in respect of any agenda items concerning Haydon Wick Parish Council as he was a member of Haydon Wick Parish Council.

#### **67. Public Question Time**

Mr Terry Reynolds, a local resident, asked a question about how his previous question asked at the Scrutiny Committee on 23<sup>rd</sup> March 2015 in relation to illegal car parking in areas of Gorse Hill, Swindon was recorded in the minutes, in particular, the use of the word 'allegations'. The Director of Law and Democratic Services explained that allegations by the public remain as such until Council officers had verified the comments made. The Chair reminded Mr Reynolds that his question was responded to by Councillor Garry Perkins, the Cabinet Member for Economy Regeneration and Skills at the meeting on 23<sup>rd</sup> March 2015 and also passed to Councillor David Renard, the Leader of the Council for a further response.

Mr Richard Symonds, a local resident, asked a question relating to a recent article in the Advertiser about the number 20 bus route, comments by the Leader of the Council at a recent meeting and the long term viability of Thamesdown Transport. Councillor Dale Heenan, the Cabinet Member for Strategic Planning, Sustainability and Transport responded to Mr Symonds question.

Mr Richard Symonds, a local resident, asked a supplementary question relating to a concern that a question he asked at a previous meeting, and response received at that meeting, was not recorded in detail in the minutes.

The Director of Law and Democratic Services responded to Mr Symonds concerns and explained the Council's policy for the recording of public questions in Council minutes.

## **68. Minutes**

**Resolved** – That the minutes of the meeting held on 23<sup>rd</sup> March 2015, be confirmed and signed as a correct record.

## **69. Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 22<sup>nd</sup> March 2015.

### *84. Budget Management 2014/15*

Councillor Russell Holland, Cabinet Member for Finance responded to questions put by Councillors James Robbins and the Chair on the following matters:

- The reason for additional places being made available at Highworth Warneford School and the possibility that it was due to a change in demand from feeder schools
- the possibility of the maintenance work at Highworth Warneford School being completed by September 2015
- The recovery of the investment made at the Waterside depot

**Resolved** – That Minute 84 of the Cabinet be noted

### *85. Council Tax Recovery and Social Inclusion*

Councillor Russell Holland, Cabinet Member for Finance responded to questions and comments put by Councillors Vera Tomlinson, Cindy Matthews, James Robbins and the Chair on the following matters:

- support for the Council Tax Recovery Scheme which had been needed for a long time
- the success of the Council Tax Recovery Scheme 'Telephoning' pilot and concerns for those families that did not own a telephone
- recent publicity from the Children's Society highlighting the problems children faced when their families were subject to debt recovery measures
- the contribution of ideas to further improve the Council Tax Recovery Scheme
- the Cabinet Member to consider including referrals for health advice for 2015/16

**Resolved** – That Minute 85 of the Cabinet be noted

### *86. References from Other Council Bodies*

Councillor Brian Mattock, Deputy Leader of the Council and Cabinet Member for Health and Adult Social care responded to questions put by the Chair on the following matters:

- When the last programme started which addressed obesity

- The results of the last programme
- Any local improvements in adult obesity

Resolved – That Minute 86 of the Cabinet be noted  
*87. Councillor Keith Williams*

Councillor David Renard, Leader of the Council responded to question put by the Chair in relation to Councillor Keith Williams not seeking re-appointment to the Cabinet for the Municipal Year 2015/16.

Resolved – That Minute 87 of the Cabinet be noted

## **70. Averies Task Group - Terms of Reference**

The Scrutiny Committee considered the report of the Director of Law and Democratic Services about the Averies Task Group Terms of Reference and membership.

The Committee were reminded that they had established a Task Group to review the Local resilience Forum's independent, multi-agency debrief of the Averies Fire incident and had agreed the Task Groups membership and Terms of Reference.

In considering the Terms of Reference at its first meeting the Task Group felt that they were too restrictive and did not give sufficient scope to allow the Task group to review the events leading up to the incident at the Marshgate Site and the condition of the site immediately prior to the incident.

The Task Group were also aware that Councillor Mark Dempsey, current member of the Group would not be standing in the local elections in May 2015 and would be leaving the Council at that time and therefore no longer a member of the Group.

The Committee noted that arrangements were being made by the Task Group for a public meeting on 26<sup>th</sup> May to hear the concerns and comments from the public who were directly affected by the incident. It was suggested that the Task Groups final report should be forwarded to the Government, especially as there had been a number of similar incidents around the country.

### **Resolved:**

1. That the Averies Task Group revised Terms of Reference, as detailed at Appendix A to these minutes be approved
2. That the Scrutiny Committee appoint a successor to Councillor Mark Dempsey on the Averies Task Group at its first meeting after the elections in May 2015

## **71. Work Programme - Annual Report 2014/15**

The Committee received the report of the Scrutiny Officer setting out the work undertaken by the Scrutiny Committee and the four Overview and Scrutiny (O/S) Committees over the past municipal year.

The Chair explained that it was hoped that the O/S Committees would avoid duplication of workload and consideration of issues. Generally this was achieved; however there were a few instances where duplication occurred and this should be avoided in the future. It was suggested that O/S Committees should be consulted earlier in the process for the development of Strategies and Policy.

Members commented generally on the work of the O/S Committees, in particular the following comments and issues were raised:

- Good work was undertaken by the O/S Committees, however, on occasions the level of officer support restricted the depth of work of the Committees
- The majority of Scrutiny reports considered by O/S Committees were of a good quality and contained the information requested, however in some instances it was difficult for the members to interpret complex data contained in reports
- Disappointment that some outside organisations were unable to attend O/S Committees
- Concern that a number of recommendations from O/S Committees were not being communicated to the appropriate bodies.

The Chair thanked the O/S Committees and officers for their hard work during the year.

**Resolved:**

1. That the end of year report 2014/15 be noted.
2. That future O/S Committee recommendations be highlighted for Council

### SCRUTINY COMMITTEE

**MONDAY, 22 JUNE 2015**

**PRESENT:-** Councillors Robert Wright (Chair), John Ballman, Oliver Donachie, Richard Hurley, Gemma McCracken, Des Moffatt, Kevin Parry, Maureen Penny, Stan Pajak, Carol Shelley, Caryl Sydney-Smith, Chris Watts and Timothy Swinyard

Councillors David Renard, Leader of the Council and Chair of Cabinet, Brian Mattock, Deputy Leader of the Council, Vice-Chair of Cabinet, Cabinet Member for Adult Health and Social Care, Toby Elliott, Cabinet Member for Communities and Strategic Planning, Brian Ford, Cabinet Member for Streetsmart, Dale Heenan, Cabinet Member for Sustainability and Transport, Russell Holland, Cabinet Member for Finance, People and Performance, and Mary Martin, Cabinet Member for Corporate, Customer and Digital Services, were in attendance.

Apologies for absence were received from Councillors Colin Lovell and Vera Tomlinson and from Councillor Emma Faramarzi, Cabinet Member for Housing and Public Safety.

#### **1. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

Councillor Oliver Donachie made a personal and non-prejudicial interest in respect of agenda items that might concern Public Power Solutions, in his capacity as a non-Executive Director of that organisation.

#### **2. Public Question Time**

There were no public questions.

#### **3. Minutes**

Resolved – (1) That the minutes of the meeting held on 27<sup>th</sup> April 2015 be confirmed and signed as a correct record.

(2) That, with reference to Minute 70(2), it be noted that Councillor Des Moffatt had been appointed as Councillor Mark Dempsey's replacement on the Committee's Task Group established to review the Local Resilience Forum's report on the Averages fire incident.

#### **4. Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 17 June 2015.

#### **5. *Wichelstowe Joint Venture***

Councillor Brian Mattock, Cabinet Member for Adult Health and Social Care, responded to a question put by the Chair regarding the programme for the development of the social housing elements of the joint venture scheme.

Resolved – That Minute 5 of the Cabinet be noted.

6. *Budget Management 2014/15*

Councillor Russell Holland, Cabinet Member for Finance, People and Performance, responded to a question put by the Chair on the opportunities for opposition members to influence the budget setting process.

Resolved – That Minute 6 of the Cabinet be noted.

7. *Capital Programme Monitoring Outturn and Treasury Performance 2014/15*

Councillor Russell Holland, Cabinet Member for Finance, People and Performance responded to questions put by the Chair and Councillor Des Moffatt regarding the analysis of the Council's debt and investment position, set out in the Cabinet report, and, in particular, the increase to the net borrowing position.

Resolved – That Minute 7 of the Cabinet be noted.

8. *SEQOL – Proposed Contract Amendments*

Councillor Brian Mattock, Cabinet Member for Adult Health and Social Care, responded to questions put by the Chair and Councillors Des Moffatt and Stan Pajak on the following matters:

- The amendment to the Council's contract with SEQOL and the potential for additional costs being borne by the Council as a result of the proposed transfer of services.
- The number of staff to be transferred under the proposed contract change and the effect of those transfers on the Pension Fund.

Resolved – That Minute 8 of the Cabinet be noted.

9. *Business Model for Solar Investment*

Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, responded to questions and observations put by the Chair and Councillor Des Moffatt, Toby Elliott, Maureen Penny, Chris Watts and Oliver Donachie on the following issues:

- The investment model, the level of investment contribution and the opportunity for community investment in the solar power projects (including the opportunity for investment by members of the Council).
- The potential for extending the A419 sound barrier (East) to increase the viability of that location for a solar power production facility.
- Provision within the terms and conditions of the associated Local Development Order for the eventual reinstatement of PV array sites.



- The proposed investment model and the security of community investment in the project.
- The ability of the proposed investment model to respond to, and to effectively compete in, a changing energy retail market.

Resolved – (1) That Minute 9 of the Cabinet be noted.  
(2) That members’ acknowledgement of the high quality of the recent Public Power Services (PPS) presentation on solar power opportunities be recorded.

#### *10. The Allocation of Bus Services Operators’ Grant*

Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, responded to questions put by the Chair on the Council’s Concessionary Travel scheme and the use and allocation of travel mobility vouchers.

Resolved – That Minute 10 of the Cabinet be noted.

#### *11. Swindon Local Transport Plan Implementation Plan 2015/16*

Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, responded to questions put by the Chair and Councillor Des Moffatt on the following matters:

- The budget for the Local Transport Plan and the case to be made for Government funding of the “Thamesdown Drive Extension”.
- The allocation of the available funding for resurfacing and repair works.
- The ability for Ward Councillors to feed into the process for the prioritising of road improvement schemes.

Resolved – That Minute 11 of the Cabinet be noted.

### **5. Leader of the Council: Annual Report**

In accordance with the Council’s Constitution, Councillor David Renard, the Leader of the Council, attended this first meeting of the Scrutiny Committee in the Municipal Year 2015/16 to report to the Committee on (a) the Council’s performance in 2014/15, particularly in relation to its achievements in delivering against the Administration’s specific priorities and targets, and (b) challenges for 2015/16 and beyond.

Councillor Renard introduced his report, commenting on some of the highlights for the last year, including:

- Swindon’s continuing successful local economy and, in particular, its increased employment levels.
- The continuing public sector confidence in Swindon, as exemplified by the private investment in schemes such as the extension to the outlet village, the Regent Circus development, Dorcan and others.
- The success of the Local Enterprise Partnership (LEP) in securing £94m in growth deals, the highest allocation per head of population nationally.
- The opening of the new University Technical College in September 2014 and the opportunities this represents for young people in Swindon.

- The establishment of two new free schools in the secondary sector.
- The Council's excellent School Place Planning strategy, one of most successful nationally in offering first place, or one of top three, preferences.
- The significant progress in Road Network investment.
- Regeneration as a key priority and the future development of a new Speedway Stadium as well as additional homes.
- The success of the Moirai refurbishment of the Oasis Leisure Centre and its establishment as a regional, perhaps national, leisure destination.
- The on-going successful regeneration of Sussex Square, this following on from a significant number of neighbourhood centre regeneration schemes in recent years.
- The significant achievement of the Council in securing approval of its Local Plan, becoming one of the first major councils in the country to do so.
- The enhancement of the Radnor Street Cemetery, allowing it to be a centre for the Great War commemorative events.
- The Council's support of successful neighbourhood local "clean up" days
- The positive impact of the relocation of the Swindon Police Point to the civic campus
- The Council's successful bid for its first significant new council housing programme in 25 years and the commencement of work on a programme of 100 new affordable homes, attracting £2.5m in grant from the Homes and Communities Agency with the Housing Revenue Account investing a further £16.5 m.
- The secured future of Swindon's leisure facilities through their transfer to GLL and Twigmarket, eliminating the previous revenue subsidy and associated maintenance overheads.
- The fifth consecutive Council Tax freeze and the associated benefit for Swindon residents at a time when household budgets remain under pressure.
- The opening of the Swindon Advice and Support Centre in Sanford Street to bring together different voluntary and community support groups in a single, accessible, town centre location.
- The implementation of the Get Active strategy in furtherance of the key strategy of finding ways to support people living independent lives and thereby relieving pressure on health and social welfare budgets in future.
- The commendable, and on-going, work, under the auspices of the Cabinet Member for Finance, People and Performance, to assist people facing financial hardship.

Following his presentation of the report, members were given the opportunity to put questions to the Leader of the Council. Issues raised by members included:

- Work to be done in conjunction with the Academies and other partners to improve Swindon's Key Stage 4 results.
- Issues associated with the clearance of existing buildings and structures and the creation of development space too far in advance of new development being in a position to proceed on the vacant lots.
- The enhancement of data in the report relating to the number of people claiming job seekers allowance.
- Student intake and retention at the University Technical College.
- The benefit to GLL from cheaper electricity bills, stated in the report, and the recovery by the Council from Moirai of monies owed in respect of utilities.

- The Localities Team's support for neighbourhood "clean up" days.
  - Feedback on the effectiveness of "clean up" days.
  - Clarification of insurance cover issues pertaining to "clean up" days".
- The pressure on local mental health services and the participation of GPs in mental health services initiatives.
- The future of the Mechanics Institute and the Locarno.
- Feedback from the Heritage Lottery Fund on the Council's unsuccessful bid for lottery funding for a new museum and art gallery, proposals for the future provision of a museum and art gallery and the future use of the existing facility in Bath Road.
- The feasibility of reviewing the Council's electoral arrangements, particularly with regard to holding "all out" elections.
- The acceptance of social inclusion and social diversity as central themes for the development and prioritisation of Council strategies.
- The Council's ambition for an over-arching vision for the town and borough and opportunities in the coming year for the regeneration of Swindon civic pride.
- Domestic abuse as a continuing issue in Swindon and comparison with national statistics.
  - The status of the Council's Domestic Abuse Reduction Strategy and Action Plan.
  - The potential implications for the strategy of:
    - a purported increase in the incidence of male spousal and "non-traditional" spousal abuse; and
    - accommodation pressures on the Swindon Women's Aid facility.
- The application of the Swindon Special Rate and the support and potential for parishing of the non-parished areas of the borough.
- The Council's commissioning of voluntary services and the role of Voluntary Action Swindon.
- The analysis of the savings associated with the transfer of the Council's leisure facilities.
  - The future of the Milton Road leisure facility.
- Issues relating to the disposal of non-traditional council-owned residential properties.

**Resolved** – (1) That Councillor Renard, the Leader of the Council, be thanked for his informative presentation of his Annual report and for his full and open responses to members' questions on the issues raised.

(2) That the Director of Law and Democratic Services be asked to investigate and clarify the issue of insurance cover on community litter picks and clean up days, particularly whether the council's insurance covers the activity if it is organised by localities officers, and/or attended by a councillor.

## **6. Work Programme 2015/16**

The Committee considered a report of the Director of Law and Democratic Services on the results of the 2015/16 Overview and Scrutiny work programme consultation exercise and inviting the Committee to agree a rolling work programme for the Scrutiny Committee for 2015/16, taking into account the issues raised in the Leader of the Council's presentation to this meeting and the results of the supporting consultation exercise.

Resolved – (1) That, subject to (2) below, the draft work programme 2014/15, tabled at the meeting, be approved.

(2) That the work programme be amended to include the consideration of a report on the topic of the parishing of the entire borough area. That a suitable date for the consideration of this report be agreed between the Chair and the responsible officer.

(3) That members' suggestion that the work programme include a review of the implications of a decision that the country withdraws from the European Union (EU) be noted. That the Cabinet Member for the Economy, Regeneration and Skills, be advised of the suggestion, and members' concerns, and advised that the Committee would wish him to provide an update on this topic area as part of his question and answer session with the Scrutiny Committee on 12<sup>th</sup> October 2015. That, at that meeting, the Committee determines whether it would wish to include in its work programme a review of the impacts of such decision to withdraw from the EU and the measures which the Council can take to mitigate those impacts.

(Councillors Stan Pajak and Chris Watts made personal, non-prejudicial declarations of interest in relation to the Committee's consideration of the possible inclusion in its work programme of issues concerning the outcome of any referendum pertaining to the country's membership of the EU.)

**HEALTH, ADULT AND CHILDREN SERVICES OVERVIEW AND SCRUTINY  
COMMITTEE**

**WEDNESDAY, 4 MARCH 2015**

PRESENT:- Councillors Maureen Penny (Chair), Michael Bray (Deputy Chair), Steve Allsopp, Andrew Bennett, Alan Bishop, Mary Friend, John Haines, Fay Howard, Oliver Donachie, Ann Richards, James Robbins, Eric Shaw, Carol Shelley, Nadine Watts, Steve Weisinger and Julie Wright.

Kevin McNamara, (Director of Strategy, Great Western Hospital [GWH]), Jan Tretheway (SEQOL), Rosemarie Phillips (Equalities Advisory Forum), Paul Sunners (Standing Advisory Council for Religious Education), Peter Rowe (Healthwatch Swindon), Alison Paul (Swindon Association of Special School Headteachers), John Gilbert (Board Director Commissioning, Children and Adults), Paddy Bradley (Head of Economy, Skills and Property Development), Sue Wald (Head of Commissioning, Children and Adults), Karen Reeve, Head of Children's Social Care, Community Health and Social Services, Oonagh Fitzgerald (Great Western Hospital) Toni Lynch (Great Western Hospital), Dr Peter Crouch (Executive Director of Commissioning, NHS Swindon Clinical Commissioning Group), Gill May (Executive Nurse, NHS Swindon Clinical Commissioning Group), Mike Ash (Head of Housing and Community Safety), Dr Simon Manchip (Avon and Wiltshire Mental Health Partnership NHS Trust).

Apologies for absence were received from Councillors Gemma McCracken, Timothy Swinyard, Cindy Matthews and Paul Baker, Simon Cowley (Swindon Association of Primary Headteachers) and David Dawson (Catholic Diocese).

Also Present: Councillors Fionuala Foley, Cabinet Member for Children's Services and Brian Mattock, Cabinet Member for Health and Adult Social Care.

**49. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

Councillor Fay Howard made a personal and non-prejudicial declaration of interest as she was employed by Great Western Hospital.

Councillor Eric Shaw made a personal and non-prejudicial declaration of interest as he was a Council appointed representative on SEQOL.

**50. Minutes**

Resolved: That the minutes of the meeting held on 14<sup>th</sup> January 2015 be confirmed and signed as a correct record.

**51. Public Question Time**

The following questions were asked in accordance with Standing Order 28:

### Questioner

Mr Richard Symonds, Shaw, Swindon.

### Questions

Mr Symonds asked questions concerning a) the purpose of the Health, Adult and Children's Services Overview and Scrutiny Committee, b) how the Committee related to issues of the Clinical Commissioning Group and Healthwatch Swindon, c) confirmation on whether the nature of the Committee was under review.

### Response

The Chair thanked Mr Symonds for his questions and comments and advised that a written response would be provided.

## **52. Nursing Briefing**

The Committee welcomed Mr Kevin McNamara, Director of Strategy, Great Western Hospital (GWH) who introduced Ms Oonagh Fitzgerald, Director of Workforce and Education for Great Western Hospital and Ms Toni Lynch, Director, Head of Nursing. Ms Fitzgerald gave a presentation updating the Committee on the nursing workforce at the hospital, and responded to questions and comments relating to:

- The retirement age for nurses.
- The overall staff turnover rate at the Great Western Hospital.
- The demographics of nurses at the hospital.
- The various routes available into the nursing profession in addition to university studies.
- The monitoring of departmental staff turnover rates.
- Clarification on the number of weeks practical work experience undertaken by trainee nurses.
- Clarification on midwife staffing levels.

Resolved: (1) That the Director of Workforce and Education and the Director, Head of Nursing at Great Western Hospital, be thanked for their presentation.

(2) That the Overview and Scrutiny Officer be requested to circulate to the presentation to Committee members.

(3) That the Overview and Scrutiny Officer be requested to circulate to Committee members information regarding the number of weeks' practical work experience undertaken by trainee nurses.

## **53. Great Western Hospital NHS Foundation Trust Update**

The Committee received a report by the Chief Executive of the Great Western Hospital (GWH) NHS Foundation Trust on key issues and developments at the Great Western Hospital.

Mr Kevin McNamara, Director of Strategy, Great Western Hospital (GWH), presented the report and highlighted matters of significance. He outlined the "Sprint to Green" initiative that reflected the collaborative work undertaken with the Swindon Clinical Commissioning Group and SEQOL aimed at improving patient through flow and how this impacted on service provision. He referred to improved performance relating to clostridium difficile cases recorded at the hospital and on the reduction of waiting periods for cancer patients.

Following the presentation of his report, Mr McNamara responded to Member's questions and comments on the following issues:

- Explanation of the term “medically fit” in terms of patient flow and the typical resolution time leading to patient discharge.
- A view on the present and future working relationship between the Council and the Great Western Hospital NHS Foundation Trust.
- The importance of a co-ordinated approach between the wide range of partners and stakeholders to the benefit of the patient.
- The excellent work and support provided to cancer patients by McMillan nurses.
- The effect of a lack of transport provision on “bed locking” and discharging patients and if the provision of a “volunteer” transport service needed to be considered by the Trust.
- The underlying reasons why the 18 week patient referral target was likely to be missed during the period January to March 2015 and the actions being undertaken to address this.
- The reasons for the predicted overspend on agency staff during the period 2014/15.
- Clarification on whether any housing issues effected the number of patients being discharged from hospital.
- An update on the establishment of the radiography unit in Swindon and the future provision of service for “out of borough” patients.
- The investment plans to increase the number of pharmacy staff at Great Western Hospital to enable longer opening hours.

Resolved: (1) That the report be noted.

(2) That further updates from the Great Western Hospital NHS Foundation Trust be presented at a future meeting of this Committee.

#### **54. NHS Swindon Clinical Commissioning Group**

The Executive Director, Swindon Clinical Commissioning Group, submitted a report updating the Committee on the performance and key issues relating to the service.

Dr Peter Crouch, Executive Director of Commissioning at NHS Swindon Clinical Commissioning Group introduced Ms Gill May, Executive Nurse and referred to the systems pressures outlined in the report, particularly the national issue of recruitment and retention of nurses and general practioners. He referred to the requirement by NHS England planning guidance to submit an operational plan and advised that Swindon Clinical Commissioning Group was presently drafting Year Two of the Five Year Plan, listing priorities including the development of a local radiography therapy service. The Committee noted the contributions made by the Clinical Commissioning Group to accelerate the introduction of the service and the collaborative work being undertaken with Great Western Hospital regarding bed capacity. Dr Crouch further commented on various actions to improve funding, the joint co-commissioning work with NHS England and on the event with Healthwatch Swindon.

Dr Crouch and Ms May responded to questions and comments from the Committee regarding the following issues:

- Explanation of the fair share target, the historical reasons for the percentage shortfall and actions being undertaken to address this shortfall.

- An update on the time taken to see mental health and rheumatology patients and the provision for those patients close to the eighteen week referral time limit.
- The possibility of delivering a number of services within general practitioners surgeries, particularly within the five neighbourhood centres across Swindon.
- Clarification on the Vanguard Programme launched by NHS England and on the second wave of funding through the Prime Ministers Challenge Fund.

Resolved: (1) That the report be noted.

(2) That the Overview and Scrutiny Officer be requested to contact Simon Manchip, Consultant at the Memory Clinic, Swindon, to obtain and circulate an update regarding dementia service provision in Swindon.

## **55. Healthwatch Swindon Update**

Mr Peter Rowe, Manager of Healthwatch Swindon, presented a report updating the Committee on performance and key issues relating to Healthwatch Swindon. He advised that seven Board members were currently working on the 2015/16 Work Plan relating to the development and forward movement of Healthwatch Swindon. Mr Rowe referred to the top three priorities for health and social care services in Swindon, addressing access to primary care, care homes and dementia services. He commented on the importance of volunteers' assistance for work being undertaken within the community.

Following the presentation of his report, Mr Rowe responded to members' questions regarding access to Primary Care service provision in West Swindon.

Resolved: (1) That the report be noted.

(2) That the Healthwatch Swindon Manager be requested to circulate an update to Members of the Committee regarding primary care service provision in West Swindon by September 2015.

## **56. SEQOL Update**

The Chief Executive, SEQOL, submitted a report updating the Committee on the performance and key issues relating to the service. Mrs Jan Trethewey, Director of Operations, SEQOL, presented the report and referred to the five priorities for the organisation, particularly regarding the collaborative work within the Emergency Department at Great Western Hospital. She further referred to the developing role for social workers, the high regard with which the Children's Clinic was held by parents and the preparatory work being undertaken for the implementation of the Care Act 2014. Mrs Trethewey commented on the actions being undertaken on safeguarding young people and on the transition services being provided for young people with learning or physical disabilities. The Committee noted the benefit of Café Pinetrees for dementia patients and their carers.

The Committee welcomed the report and Mrs Trethewey responded to Members' questions and observations on the following issues:

- Information on the number of patients discharged from hospital.
- Actions undertaken by SEQOL in the patient discharge process from hospital wards.
- The number of young people with learning disabilities and /or physical disabilities utilising the transition services and details of the actions taken to ensure that all those in need of the service were accessing it.



- Explanation of D54 and on the percentage of items delivered to patients within timescales.

Resolved: (1) That the report be noted.

(2) That the Director of Operations, SEQOL, be requested to circulate information to Members of the Committee regarding timescales for patient discharge.

## **57. Commissioning of Adult Social Care Performance**

The Head of Commissioning, Children and Adults submitted a report updating the Committee on the performance and key issues relating to Adult Social Care. Mrs Sue Wald, Head of Commissioning, Children and Adults introduced the report and explained that the first part referred to the challenges faced by the department, including the personalisation of service users and the increase of young people entering residential care. Mrs Wald commented on service achievements, particularly work being undertaken with older people enabling them to remain at home longer and the domiciliary care teams work to ensure a smooth transition for those needing to enter a care home.

Mrs Sue Wald responded to the Committee's questions and comments in respect of the following points:

- Explanation of the various elements of social care provision, particularly relating to patients discharged from hospital and how the interactions between all stakeholders were regularly reviewed to the benefit of patients.
- Explanation on how those subject to safeguarding referrals would be encouraged to become fully involved and actively participate in the process.

Resolved: That the report be noted.

## **58. Children's Services Performance Report**

The Board Director, Commissioning submitted a report on the outturn performance position for Quarter 3, 2014/15 (October to December 2014) of Children's Services.

Mrs Karen Reeve, Head of Children's Social Care, Community Health and Family Services, commented on the reasons for the increased number of referrals and referred to the decrease in the number of children in care.

Mrs Sue Wald, Head of Commissioning, Children and Adults, Mrs Karen Reeve, Head of Children's Social Care, Community Health and Family Services, and Mr Paddy Bradley, Head of Economy, Skills and Property Development, responded to questions and comments from the Committee regarding the following issues:

- An update on the adoption rate figures compared to previous years and a comparison with national averages.
- Work being undertaken to ensure stability for those on short term placement with families.
- Reasons for the high number of statutory assessments remaining open and the work being conducted by the Assessment and Child Protection Team to address this.
- Reasons for the increased number in fixed term exclusions and if this included a higher number of young people with learning disabilities.
- The work being undertaken by the Behavioural and Attendance leads in secondary schools and staff exchange between schools to learn and share

good practice.

- The involvement of pupils at risk of exclusion.
- A review of the Fair Access Panel work and the emulation of the “Risk of NEET (Not in Education, Employment or Training) Indicator Project” being conducted in the Commonweal area.
- Information on the number of first time entrants into the Youth Justice system and the involvement of the Neighbourhood Justice Panel.

Resolved: (1) That the Children’s Services performance report, be noted.

(2) That the Head of Children’s Social Care, Community Health and Family Services be requested to circulate information to Committee members regarding the work of the Youth Justice Panels, particularly addressing first time entrants into the Youth Justice system.

(3) That the Head of Economy, Skills and Property Development be requested to circulate information to Committee members regarding trends in exclusions by schools.

(4) That further to (3) above, the Head of Economy, Skills and Property Development be requested to circulate information regarding the number of fixed term exclusions for pupils with special education needs.

(5) That the Head of Economy, Skills and Property Development be requested to circulate information to Committee members regarding the number of young people excluded more than once.

(6) That the Head of Economy, Skills and Property Development be requested to circulate information to Committee members on the project being undertaken within the Commonweal area.

## **59. Housing and the Health and Wellbeing of Swindon's Residents**

The Head of Housing and Community Safety submitted a report setting out how the emerging Housing Strategy 2015-2026 related to the wellbeing of Swindon’s residents and in particular how local interventions into Swindon’s housing market could benefit the most vulnerable in the community,

Mr Michael Ash, Head of Housing and Community Safety explained the local approach and the three main focus areas for the strategy, including the standard of housing, tenure across Swindon and the link between housing and care support services. He commented on the different overall approach to the strategy and its four priorities. These related to the percentage increase of the private rented sector, the affordability of housing, the importance of independence for older people and those with learning disabilities and on the work being conducted on Council owned properties. He commented on the use of technology within housing services, mainly through the Home Line and Home Line Plus packages.

Mr Ash responded to questions regarding the following issues:

- The implementation and running of the Extra Care Housing Programme in Swindon.
- Concerns regarding the standards of premises in the private rental housing sector.
- Allocating the appropriate premises to the client, particularly those with non-standard housing requirements.
- Actions taken where cases of overcrowding or multi-occupation were identified.

Resolved: (1) That the report be noted.

(2) That the Head of Housing and Community Safety be requested to circulate information to Committee members on the number of people waiting for a wheelchair standard housing.

#### **60. End of Year Report 2014/15**

The Committee received a report from the Director of Law and Democratic Services detailing the Committee's updated work programme for the Municipal Year 2014/15. Mrs Sally Smith, Overview and Scrutiny Officer, referred to the two Task Groups that were agreed to be set up at the beginning of the Municipal Year 2014/15. Councillor Julie Wright referred to the task group dealing with dementia and commented on the need for further work to be undertaken.

Resolved – (1) That the report setting out the achievements by the Committee, be noted.

(2) That any future proposals for this Committee's Work Programme be forwarded to the Council's Overview and Scrutiny Officer for consideration by the 1<sup>st</sup> May 2015.

(3) That the work undertaken by the Task Group dealing with dementia be included in the Committee's Work Programme for 2015/16.

#### **61. Any Other Business**

Councillor Steve Allsopp expressed his gratitude and thanks to the Chair and the Overview and Scrutiny Officer for their guidance and support over the past Municipal Year.

Resolved: That the Committee express its appreciation for the work and commitment shown by its Chair and the Overview and Scrutiny Officer over the past Municipal Year.

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### RESOURCES OVERVIEW AND SCRUTINY COMMITTEE

THURSDAY, 19 MARCH 2015

PRESENT:- Councillors Steve Allsopp, Oliver Donachie, Mark Edwards, Toby Elliott (Chair), Nick Martin, Gemma McCracken, Stan Pajak and Robert Wright

#### 19. Minutes

Resolved – That the minutes of the meeting held on 29<sup>th</sup> January 2015, be confirmed and signed.

#### 20. Public Question Time

There were no public questions

#### 21. Property Portfolio and Civic Campus

Rob Richards submitted a report concerning the Council's Property Portfolio and the Civic Campus. He advised that property and land held by the Council is a significant resource, which is essential for the provision of the vast majority of Council services. As well as operational properties which are used in direct front line service delivery there are a number of corporate offices which accommodate the Council's staff, a housing stock of 10,500 freehold and 500 leasehold homes, around 250 operational assets and a portfolio of investment property [some 810 assets, including retail; office and industrial premises together with a 2,000 acre agricultural estate] which currently produces nearly £4m of revenue income to supplement the Council's financial plans.

Attached as Appendix 1 to the report was the Council's Property Strategy, adopted at Cabinet in 2012 and which sets out the Council's objectives and the general direction the property base will take in relation to the management, acquisition and disposal of property assets. The Civic Campus provides the main base for the Council's civic and office based activity and is the work place for nearly 1500 staff.

The report sought to update and inform the Committee on the key elements of the Strategy relating to the Council's property portfolio and the current activity related to it and activity on the Civic Campus

Rob Richards responded to questions put to him by members of the Committee concerning:

- The use of Asbestos in Council owned buildings
- An over-arching strategy for centralising or decentralising Council services
- The renting of Council owned premises to charitable organisations.

Resolved – (1) That the report be noted

(2) That the Council should look to maximising its profits from Council owned buildings

(3) That the Cabinet be requested to investigate the possibility of having an over-arching strategy for centralising or decentralising its services.

#### 22. End of year report

The Chair thanked Councillors for their input during the year and undertook to incorporate their comments into his end of year report

### **STREETSMART AND HIGHWAYS OVERVIEW AND SCRUTINY COMMITTEE**

**WEDNESDAY, 10 JUNE 2015**

PRESENT:- Councillors Junab Ali, Paul Baker, Alan Bishop, Paul Dixon, Colin Lovell, Derique Montaut, Kevin Parry (Chair), Eric Shaw, Timothy Swinyard, Vera Tomlinson and Joe Tray.

Also in attendance was Councillor Brian Ford.

Apologies for absence were received from Councillors Michael Bray, Nick Martin and David Wood.

#### **1. Appointment of Vice-Chair of the Committee**

Councillor Eric Shaw was appointed to the position of Vice-Chair of the Streetsmart and Highways Overview and Scrutiny Committee, as proposed by Councillor Vera Tomlinson and seconded by Councillor Paul Baker.

#### **2. Declarations of Interest**

The Chair reminded members of the need to declare any known interests in any matter to be considered by the Committee. No interests were declared.

#### **3. Public Question Time**

The following question was asked in accordance with Standing order 28 –

##### Questioner

Mr Tauben Tenty, Swindon resident.

##### Question

Mr Tenty submitted questions concerning the time taken to repair damage to a railing fence at St Andrews Ridge destroyed by a Council refuse vehicle in October 2014.

##### Response

The Chair thanked Mr Tenty for the questions and advised that a response had been prepared and circulated at the meeting. Councillor Vera Tomlinson referred to Mr Tenty's concerns regarding the lack of continued updates by Council officers on progress made to resolve the situation. Councillor Brian Ford agreed to investigate the matter and offered to update Mr Tenty.

#### **4. Minutes**

Resolved – That the minutes of the meeting held on 25<sup>th</sup> March 2015 be accepted as a correct record.

#### **5. Work Programme 2015-2016**

The Board considered this report, submitted by Sally Smith, regarding the need to

add items to the Work Programme for this Committee for the 2015 / 2016 Municipal Year. Each Overview and Scrutiny Committee is requested to detail their forthcoming activities with the aim of producing evidence-based recommendations intended to provide service improvements for Cabinet and external agencies / bodies to consider.

Members were then invited to put forward suggestions to be added to the Work Programme for this Committee, and for topics on which to set up Task Groups.

The following subjects were suggested for addition to the Work Programme:

- Street lighting.
- Review of the Highways Strategic Plan.
- Streetsmart Service Agreements.
- Signage.
- Tree and grass cutting to include clarity on demarcation of areas of responsibility.
- Maintenance of parks.
- Libraries.
- Parking to include parking enforcement.

Members agreed that Task Groups would be set up as and when the need is identified following the presentation of reports to future Committee meetings.

Resolved – To approve the items as listed above for inclusion on the Work Programme for the 2015/16 Municipal Year.



## **Section 3**

# **Regulatory Committee Minutes**

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**PLANNING COMMITTEE**

**TUESDAY, 14 APRIL 2015**

PRESENT: - Councillors Brian Ford, Abdul Amin, Toby Elliott (Vice-Chair), Colin Lovell (Chair), Nicky Sewell, Vera Tomlinson, Peter Watts, Alan Bishop, Paul Baker, Kevin Parry and Eric Shaw.

Apologies for absence were received from Councillors John Ballman and Teresa Page.

**49. Declarations of Interest**

Councillor Amin declared a personal and prejudicial interest in respect of application numbered S/LDP/15/401 and left the room during the voting and discussion thereon.

**50. Minutes**

Resolved – That the minutes of the meeting held on 10<sup>th</sup> March 2015, be confirmed and signed.

**51. Public Question Time**

There were no public questions

**52. Determination of Planning and Related Applications**

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services, Heritage and Libraries;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments of Councillor Bob Wright in respect of application numbered S/14/1595

Resolved – (1) That, in respect of application numbered S/14/1689: (a) planning permission be refused for the following reasons:

1. The proposal represents an overdevelopment of the site resulting in a level of residential accommodation that provides a poor standard of amenity and living conditions for the occupiers of those units, owing to its cramped layout and design which together with the more intensive use of the site will exacerbate the impact of the development to the detriment of local amenity. As such the proposal is contrary to policy DE1 of the adopted Swindon Borough Local Plan 2026 (March 2015) and the National Planning Policy Framework (NPPF) 2012.

2. The proposal fails to provide adequate provision on the site for the parking of vehicles to serve the whole development and for loading and unloading of goods vehicles, which would be likely to encourage the inappropriate parking of vehicles on

the public highway, interrupting the free flow of traffic and prejudice the safety of road users. As such the proposal is contrary to policies DE1 and TR2 of the adopted Swindon Borough Local Plan 2026 (2015) and the National Planning Policy Framework (NPPF) 2012.

and (b) the Head of Planning, Regulatory Services, Heritage and Libraries be authorised to consult with the Director of Law and Democratic Services to determine the appropriate action to remedy the breach of planning control.

(2) That it be noted that application numbered S/RES/14/2173 had been withdrawn.

(3) That the Head of Planning, Regulatory Services, Heritage and Libraries be authorised to grant permission in respect of application numbered S/14/1595 upon the receipt of satisfactory revised drawings and subject to the conditions listed in the Officer's report.

(4) That permission be granted in respect of application numbered S/14/1597 subject to the conditions listed in the report.

(5) That a Certificate of Lawful Development be granted in respect of application numbered S/LDP/15/401.

### **53. Swindon Borough Local Plan 2026 and Supplementary Planning Documents and Developer Control Guidance Notes**

The Head of Planning, Regulatory Services, Heritage and Libraries submitted a report concerning the status of the Swindon Borough Local Plan and requesting the Committee to note the status of the associated Supplementary Planning Documents and Development Control Guidance Notes (DCGN)

Resolved – That this Committee:

- (1) Notes the adoption by the Council of the Swindon Borough Local Plan 2026
- (2) Notes the schedule of Supplementary Planning Documents and Development Control Guidance Notes as detailed in Appendices 1 to 3 of the report.
- (3) Delegates authority to the Head of Planning, Regulatory Services, Heritage and Libraries to undertake necessary factual updates to reflect current standards, guidance and legislation to the affordable housing Developer Contributions DCGN.

# PLANNING COMMITTEE

TUESDAY, 9 JUNE 2015

PRESENT: - Councillors Abdul Amin, John Ballman, Colin Lovell (Chair), Teresa Page, Vera Tomlinson, Peter Watts, Nick Martin, Alan Bishop, Paul Baker, Kevin Parry, Eric Shaw, Cathy Martyn, Stan Pajak, Timothy Swinyard and Steph Exell.

## 54. Declarations of Interest

There were no declarations of interest.

## 55. Minutes

Resolved – That the minutes of the meeting held on 14<sup>th</sup> April 2015, be confirmed and signed.

## 56. Public Question Time

There were no public questions.

## 57. Determination of Planning and Related Applications

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services, Heritage and Libraries;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (i) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/14/2109	Nigel Cussen	Agent
	Adrian Crafer	Upham Road
	Mr Collins	18 Ashwell Close
S/15/278	Mr M Watson	Applicant
	Mike Compton	Parish Councillor
	Stephen Cains	Developer
	Chris Kennedy	Wroughton Parish Council
	Roland Billington	
	Pauline Webster	

Resolved – (1) That the Head of Planning, Regulatory Services, Heritage and Libraries be authorised to grant planning permission in respect of application numbered S/14/2109 subject to: the completion of a Section 106 agreement to secure funding for the moving of the bus gate and associated works, and in the event that it becomes necessary, agreement to fund a TRO in respect of parking

restrictions in the vicinity of the site the satisfactory resolution of the outstanding drainage details and conditions as set out in the agenda and any additional, omitted or amended conditions as maybe appropriate, including a requirement for a travel plan.

(2) That permission be granted in respect of application numbered S/15/278 subject to appropriate conditions.

(3) That permission be granted in respect of application numbered S/15/448 subject to the conditions listed in the report.

#### **58. Adoption of LDOs in Support of a Low Carbon Swindon**

The Head of Planning, Regulatory Services, Heritage and Libraries submitted a report seeking the approval of the Committee to adopt Local Development Orders that would relax certain planning controls in support of a 'low carbon' Swindon.

Resolved - That this Committee agrees that:

(1) the three Low Carbon Local Development Orders (LDO's) referred to in the report covering the following elements are formally adopted;

(a) Non-domestic air source heat pumps and district heating installations;

(b) Hydrogen and electric car fuelling installations;

(c) Pre-identified sites for solar arrays and solar farms;

(2) the Head of Planning, Regulatory Services, heritage and Libraries undertake all action as necessary to confirm and publicise the adoption of the LDOs; and

(3) the Head of Planning, Regulatory Services, Heritage and Libraries be authorised to make minor drafting changes to the content of the documents if required prior to publication

#### **59. Confirmation of an Article 4 Direction for Bishopstone Conservation Area**

The Head of Planning, Regulatory Services, Heritage and Libraries submitted a report concerning the outcomes on the consultation on the draft Article 4 Direction, which would remove "permitted development" rights with respect to solar panels on domestic properties in the Bishopstone Conservation Area, and to request that the Direction is confirmed.

Resolved – That this Committee authorises:

(1) the Head of Planning, Regulatory Services, Heritage and Libraries in consultation with the Director of Law and Democratic Services to confirm the Article 4 Direction to remove permitted development rights with respect to solar panels on domestic properties within the Bishopstone Conservation Area; and

(2) the Head of Planning, Regulatory Services, Heritage and Libraries to make minor drafting changes to the content of the Direction and supporting documents if required prior to confirmation.

**LICENSING COMMITTEE**

**FRIDAY, 22 MAY 2015**

PRESENT:- Councillors Vera Tomlinson (in the Chair), Junab Ali, Abdul Amin, John Ballman, Alan Bishop, Michael Bray, Oliver Donachie, John Haines, Fay Howard, Derique Montaut, Maureen Penny, Eric Shaw, Kevin Small, Caryl Sydney-Smith, and Peter Watts.

**1. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**2. Minutes**

Resolved – That the minutes of the meeting held on 16<sup>th</sup> March 2015, be confirmed and signed as a correct record.

**3. Public Question Time**

No public questions were received during the meeting.

**4. Local Government Act 1989 - Section 15: Political Balance Arrangements**

Resolved – That, further to Minute 13(2) of the Council, and having carried out a review under Section 15 of the Local Government and Housing Act 1989 this Committee continue to apply political balance arrangements under the Act.

**5. Appointment of Sub-Committees and Panel**

Resolved – (1) That an Ad Hoc Licensing Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2015/16” and comprising Councillors Abdul Amin, John Ballman, Alan Bishop, Mick Bray, Fay Howard, Eric Shaw, Vera Tomlinson.

(All Councillors serving on the Licensing Committee be appointed as substitutes to their respective political group.)

(2) That a Licensing Panel be appointed having the functions set out in the document “Swindon Council Constitution 2015/16” and comprising three Councillors to be drawn from Members of this Committee.

(3) That a Private Hire/Hackney Carriage Licensing Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2015/16” and comprising Councillors Junab Ali, Oliver Donachie, John Haines, Derique Montaut, Caryl Sydney-Smith, Vera Tomlinson and Peter Watts.

(All Councillors serving on the Licensing Committee be appointed as substitutes to their respective political group.)





**LICENSING PANEL**

**THURSDAY, 21 MAY 2015**

PRESENT:- Councillors Abdul Amin, John Haines and Vera Tomlinson.

An apology for absence was received from Councillor Oliver Donachie.

**19. Appointment of Chair**

Resolved –That Councillor Vera Tomlinson Chair this meeting of the Panel.  
(Councillor Tomlinson took the Chair.)

**20. Minutes**

Resolved – That the minutes of the meeting held on 19<sup>th</sup> January 2015, be confirmed and signed as a correct record.

**21. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**22. Application for the variation of a Premises Licence in respect of Cotswold Water Park, Riverside Park, Inglesham, GL7 3AG together with a copy of each relevant representation made and supporting documents**

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application for a variation of the Premises Licence for Cotswold Water Park, Riverside Park, Swindon, (b) written representations from local residents opposing the variation of the Premises Licence, (c) oral submissions from local residents in support of their objection, (d) oral submissions received in support of the application from the applicant, (e) questions from Members to the applicants and answers received, and (f) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Licensing Policy.

After considering: -

1. The application for a variation of a Premises Licence; and
2. Representations and material put forward on behalf of the objectors and the applicant:

And taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

And having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of public nuisance

- ii. The prevention of crime and disorder.

The Panel determined that the application for a variation of the Premises Licence, as set out on the licence, be approved subject to the licence conditions amended as follows:

17. No event involving the attendance at one time of more than 9,999 people (including performers, staff, volunteers etc) shall take place under the authority of this licence, save for the year 2015 where the maximum number shall be limited to 6,000 people (including performers, staff, volunteers etc).

18. Prior to any event involving attendance of more than 1000 people, the premises licence holder shall notify the Swindon Event Safety Group [or its successor grouping] and shall provide such information as is requested and engage with such advice as may be given. At least three months' notice shall be given of any such event. Where such events are over 5,000 people at least six months' notice shall be given of any such event.

### Reasons

1. The Panel took account of the written representations of all parties and the oral arguments received at the meeting. The Panel carefully considered the representations of those who opposed the variation together with the additional conditions agreed by the applicant and felt that these would minimise the impact on the amenities of local residents and uphold the Licensing Objectives.

2. The Panel considered the objections submitted by local residents but were satisfied that, given the experience of the Management and success in running previous events of this nature at the location that the concerns raised could be mitigated.

3. The Panel when considering the objections received were mindful that there had been no objections from the Statutory Authorities.

4. The Panel noted that there were conditions in place to minimise the impact on the amenities of local residents and that there was no evidence nuisance would arise from the variation proposed.

**LICENSING PANEL**

**WEDNESDAY, 27 MAY 2015**

PRESENT:- Councillors John Ballman, Michael Bray and Vera Tomlinson

**1. Appointment of Chair**

Resolved – That Councillor Mick Bray be Chair of this Panel meeting.  
(Councillor Bray took the Chair.)

**2. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**3. Application to Review a Premises Licence in respect of Abbys, 147 Manchester Road, Swindon, SN1 2AF**

The Panel considered a request by Navaratham Raveendran (Premise Licence Holder) for an adjournment of the hearing in order to allow him to have legal representation during the appeal. Mr Raveendran confirmed that he had instructed lawyers to represent him but he had not yet been able to meet with them to prepare his defence. He requested that the review be deferred until after Thursday 18<sup>th</sup> June 2015 in order that his newly appointed solicitors may attend to represent him.

Mr Madhura from Lexus confirmed that his firm was no longer engaged by Mr Raveendran and that he was therefore not in a position to represent him at the hearing.

Wiltshire Police opposed the application for adjournment and argued that it was in the public interest to proceed with the hearing. The Police also argued that proper notice of the hearing had been provided. The Police further drew the Panel's attention to the drawn out nature of the application and argued that Mr Raveendran had ample opportunity to engage solicitors to represent him.

Resolved – That the hearing in respect of Review of a Premises Licence in respect of Abbys, 147 Manchester Road, Swindon, SN1 2AF be deferred until Tuesday 23<sup>rd</sup> June 2015 at 12:00 noon.

Reasons

1. Wiltshire Police confirmed that there was no additional evidence to present to the Panel apart from the papers already circulated as part of their case. The Panel took into account that there were no major new issues that required the case to be determined immediately.

2. The Panel was conscious of its duty to ensure a fair hearing for both parties and therefore determined that the public interest was not served by proceeding with the Licensee where the Licensee had indicated that he needed legal representation.

3. The Panel took into account the submission of the Police that there was a need to proceed with the case on the grounds of public and its duty to weigh this against the public interest in ensuring a fair hearing. The Panel determined that there was no apparent overriding case to deal with the matter immediately and that it had an obligation to ensure that the Licensee was not denied his right to a fair hearing. If the case proceeded the Licensee would be denied his legal representation and this could result in prejudice to his right to a fair hearing.

4. The Panel heard that there was no evidence that a delay of four weeks would result in the undermining of the Licensing Objections.

5. The Panel heard evidence from officers and the Police regarding the time period that had elapsed in bringing the review to a hearing and determined that a further four week period to ensure a fair hearing was not unreasonable.

**LICENSING PANEL**

**TUESDAY, 23 JUNE 2015**

PRESENT:- Councillors John Ballman, Michael Bray and Vera Tomlinson

**4. Appointment of Chair**

Resolved – That Councillor Michael Bray Chair this meeting of the Panel.  
(Councillor Bray took the Chair.)

**5. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**6. Application to Review of a Premises Licence in respect of Abbys, 147 Manchester Road, Swindon, SN1 2AF**

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an application for a Review of the Premises Licence for Abby's, 147 Manchester Road, Swindon, SN1 2AF, (b) written representations from Wiltshire Police in support of the review, (c) additional written representations supporting their application for a review received from Wiltshire Police, (d) a written submission supporting the review, submitted by Wiltshire Police from Councillors Julie Wright and Robert Wright, (e) oral submissions in support of the application for a review received from Jacqueline Gallimore (Acting Police Licensing Manager), Councillor Julie Wright (Ward Councillor), Councillor Bob Wright (Ward Councillor), PC Diffin, PC McLaren, PC Rutherford, in support of the Police Objection, (f) oral submissions received opposing the application for review from Messrs Britton and Ioannov (Devereaux Solicitors) solicitor to the applicants, Mr Arumgam Raveendrum (Premises Licence Holder), Mrs Kavitha Sathiyathevan (Designated Premises Supervisor pending determination of her application), Mr Thakkna and Mr Sathiyathevan, (g) additional papers submitted by the Police relating to Police Storm logs, Regina v Tagg case law and Blackstones's Handbook for Policing Students, (h) additional papers submitted by Devereaux's solicitors relating to training records for Abbys staff and a petition and letters from members of the public opposing the closure of the store, (i) CCTV footage, (j) questions from Members to the applicants and objectors and answers received, and (k) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Statement of Licensing Policy.

Prior to the commencement of the submissions the Licensing Manager asked if all parties had all the correct paperwork as there was additional papers since the printing of the report. The Panel considered

(1) The letters and petition against the closure of the store and determined that these would not form part of its deliberations as the alleged sale of alcohol to a drunk women and breaches of the Licensing conditions needed to be considered and determined in their own right.

(2) That Police references to a previous review and a Cumulative Impact Policy would only be considered as background information supporting the Police Review as they had no direct bearing to the reasons for review submitted by the Police. The Licensing Manager confirmed that the reason they were within the papers was because it formed part of the review application by Wiltshire Police which had already been advertised and was in the public domain.

The Police case for a review and summary raised points can be broadly summarised as follows:

- That the Police case was in line with the Licensing Act, Section 182 Guidance and the Council's Statement of Licensing Policy.
- The facts were as set out in the Police Review on pages 14 to 17 of the agenda papers.
- Comments from Councillors Bob and Julie Wright concerning alleged incidents of Street Drinkers being provided with alcohol from people leaving Abbys Store and the effect it has on Crime and Disorder and Public Nuisance within the locality and an alleged incident of an individual staggering out of the shop with alcohol. Mr Ioannov noted that if he had been made aware of this alleged incident earlier he could have reviewed it on CCTV footage which was kept for 30 days. The Licensing Manager confirmed that this had been circulated at the previous meeting where the matter was adjourned.
- That Police had been on an undercover operation when they witnessed a woman they believed to be drunk leaving the shop in possession of alcohol she had bought at Abbys.
- An unadopted Cumulative Impact Policy Statement for the Broadgreen area, Designated Public Place Order and breakdown of off-licences on Manchester Road and their hours of operation.
- The predominant nature of alcohol sales for shops on Manchester Road and how this affected the maintenance of the Licensing Objectives in the Broadgreen area and Police obligations to prevent anti-social behaviour in the area which relied on well run businesses.
- The failure of the premises management to comply with conditions 3, 7, 13 and 17 attached to its Premises Licence.
- PC Rutherford's presentation on Police Training, Blackstone's Handbook for Policing Students, Regina v Tagg case law and his and other Police officer's skill and experience in identifying and judging levels of intoxication of individuals.
- A letter to Mr Raveendran advising him of forthcoming police visits to premises in the locality and highlighting issues the Police would address during these visits.
- The witness statements of PC Atkinson regarding the alleged incident of the sale of alcohol to an individual they believed to be drunk.
- The supporting comments of PC McLaren regarding the witness statement and the incident in question and Police evidence, via logs, that the individual concerned had been drinking in the town centre area.
- That the individual in question was known to the Police and had been arrested for alcohol related offence on four occasions previously.
- Supporting comments of PC McLaren regarding the sale of alcohol to the individual in question and his evidence that the sale, to a person the Police considered to be drunk and unsteady on her feet, was clearly witnessed.

- The Police assertion that the individual, in their opinion, was drunk when entering the store and drunk when exiting with alcohol and that the shop staff should have been able to smell alcohol when interacting with the individual.
- PC Diffin's additional evidence in support of his witness statement set out on pages 35 to 37 of the agenda papers relating to a routine licensing check carried out on 20<sup>th</sup> September 2014 and an outline of the four breaches of the Licensing conditions identified during the visit. PC Diffin highlighted the sale of alcohol under duty price, failure to have three Members of staff on the premises whilst selling alcohol regardless of the reason for this and the failure to provide CCTV footage on request and his comments that the remote, operating this equipment, was broken.
- That regardless of the excuses provided by the management of the Premises the Licensing Conditions had been breached.
- That a caution for the breaches of conditions attached to the Premises Licence had been accepted by Mr. Raveendran. PC Diffin was content that given Mr Raveendran's experience as a Premises Licence Holder and given the level of understanding in contact between them previously that Mr Raveendran understood the caution.
- That the management of Abbys should have been expected to understand the pricing of alcohol according to ABV and that there were tools available on the internet to assist with such calculations.
- Additional police information/intelligence pertaining to Abbys set out on page 87 of the agenda papers.
- That Abbys had permitted street drinkers to use the area to the rear of their shop.
- That when asked to provide training records the Police were told that they were not available in the shop at that time.
- Police comments regarding the unsatisfactory nature of the training records provided which related to training undertaken in 2014 and which appeared to include out of date questions.
- That Abbys had not heeded advice offered by the Police in order to maintain the Licensing Objectives and to help prevent breaches of the Licensing Objectives.
- That CCTV footage could not determine whether an individual was drunk and this needed to be set against Police experience in determining such matters.
- That training at the Premises was a significant worry in quality, due to them being out of date and responses to questions to witnesses regarding this training.
- Conditions attached to the Premises Licence had been clearly breached.
- That intelligence concerns continued, with the last raised on 26<sup>th</sup> May 2015.
- That the evidence heard did not satisfy the Police that the Licensing Objectives were being promoted at Abbys.
- That advice had been ignored, conditions had been ignored a previous review had not resolved issues at Abbys and that in the Police's opinion a revocation of the Premises Licence was required.

Questions to the Police and responses received in respect of:

- The nature of Police evidence on drunkenness and whether this was regarded as "non expert" and the weight that can be given to other witnesses

views on the level of sobriety of an individual.

- Whether the Police Statistics provided could identify issues with individual premises and the use of these as a general indicator of crime and disorder and public nuisance rather than a specific indicator.
- How the Police determined the individual was drunk, the system used by the Police to identify levels of intoxication and why no action was taken against her at that time.
- Whether the individual was known as a street drinker to the shop through photographic identification.
- Clarification that the two incidents before the hearing were the only outstanding issues the Police were aware of.
- Who the Designated Premises Supervisor was at the time of the incident relating to the sale of alcohol to a person who was allegedly drunk. Both the management of Abbys and Police confirmed that in their view Mr Raveendran was the Designated Premises Licence holder but the Council's Licensing Manager confirmed that following the removal of the Designated Premises Licence holder in April 2012 there was no Designated Premises Licence holder specified. The meeting was adjourned to allow the Police to clarify this point but no proof of the appointment of a new Designated Premises Licence holder could be produced.

Points and issues raised by the Solicitor to the respondents and witnesses called including but not limited to the following:

- An acceptance that alcohol had been sold under the duty price and an explanation for this was to clear stock due to its best before date.
- Acceptance of management that sales of alcohol under the legal duty price should not have occurred and would not occur in the future and that he would dispose of any such stock in the future.
- That there had been a third Member of staff on the premises but that he had left, as a result of illness, three hours earlier.
- That the Police had agreed to visit the shop the following morning to receive a copy of the CCTV footage because the Member of staff with a key had left the premises and further the CCTV footage had been duly provided.
- That Mr Raveendran had not understood the caution he had signed and this caution had subsequently been challenged and was the subject of a legal review.
- That whilst not challenging the evidence provided by officers, the sale of alcohol needed to be knowingly to a drunken individual and the offer to watch the CCTV footage of this incident was made. The Panel then watched the CCTV footage in question (there was no sound available with the footage).
- The Premises Licence Holder gave evidence that the individual (in relation to the alleged sale to a drunken person) didn't appear drunk to him or Mrs Sathiyathevan, the sales person and that if she had appeared to be drunk she would not have been sold alcohol. He outlined his understanding of the characteristics of a person who was drunk.
- That Mr Raveendran could not remember where the Refusals book recording refusals of underage sales was located on 20<sup>th</sup> September 2014.
- That on 18<sup>th</sup> September 2014 the person with the key had left the shop earlier and that the Police had indicated to him they would return for this footage the following day at which time the CCTV footage had been provided.



- Mr Sathiyathevan confirmed that he had been working on 20<sup>th</sup> September but had left earlier as he had been working there all day and had been feeling unwell but would have returned if necessary to provide a copy of the CCTV footage.
- That he understood his role in the promotion of the Licensing Objectives.
- That the two incidents before the hearing were the only ones that the Police were aware of.
- That the Act was specific in setting out that any sale needed to be knowingly made to a drunk person and that staff were not in this position.
- That the management understood their responsibilities under the Licensing Act otherwise there would have been more than two incidents being considered at the hearing.
- That wider social issues were not the responsibility of Abbys, especially given the high number of licensed premises in the vicinity.

Questions to the respondents and responses received in respect of:

- Questions relating to questions on the training records provided by the shop management and whether these were correct, out of date and whether they fostered an understanding of obligations in respect of upholding the Licensing Objectives.
- Questions relating to witnesses understanding of drunkenness and how to identify it.
- Whether the Premises Licence Holder had attempted to contact other staff to ensure that there were three Members of staff present at the premises during sales of alcohol.

The Panel was adjourned and reconvened on Thursday 25<sup>th</sup> June to reach its decision in camera.

Resolved - That, having considered the evidence and representations before it, and the seriousness this Panel places on breaches of Licensing Conditions, the Panel determines that (a) the Premises Licence held by Abby's, 147 Manchester Road, Swindon be amended to include the additional conditions and/or amended conditions set out below, and (b) that the premises licence be suspended for a period of nine weeks to reflect the seriousness with which the Panel viewed the breaches of the Licensing Objectives by the Premises Licence Holder.

### Reasons

1. The Panel heard evidence from the Police regarding the sale of alcohol to a woman they described as drunk, Police experience in determining such matters, together with Storm Log details of the person in question relating to her drinking and travelling from the town centre to the Manchester Road area and considered this in the light of CCTV footage viewed of the individual entering and leaving the shop and of the sale of alcohol and evidence from Mr Arumgam Raveendrum (Premises Licence Holder), Mrs Kavitha Sathaythevan (Designated Premises Supervisor) as to their contention that she was not drunk. CCTV footage did not show an individual that was not in control of herself. Indeed the individual concerned appeared to converse with Mr Raveendran regarding the product she wanted to purchase, to pay for her purchase and following the sale to place a donation in the charity box on the

counter. After carefully considering all the evidence before it the Panel was satisfied that the seller was not aware that the individual was drunk at the time of sale.

2. The Panel was satisfied that four Licensing Conditions had been breached; indeed management of Abbys accepted that breaches of the conditions regarding the price of alcohol and the provision of the CCTV footage had occurred.

3. The Panel considered the absence of a Designated Premises Supervisor in place at Abbys. The Panel heard submissions from both the Premises Licence Holder and Police that Mr Raveendran was the Designated Premises Supervisor but noted that no evidence of such an appointment could be produced. Given that both parties to the review believed that a Designated Premises Supervisor was in place and given that an application had been received by the Licensing Authority to make Mrs Kavitha Sathyathevan the Designated Premises Supervisor the Panel determined that it would take no action in respect of this at this time given that the absence of a Designated Premises Supervisor did not form part of the grounds for review before it.

4. The Panel weighed up the evidence provided at the hearing, the fact that there had been a previous successful review of the Premises Licence and that a condition arising from this review had been breached.

5. In determining that the management of Abbys did not knowingly sell alcohol to a person who was drunk and that Licensing Conditions had been breached the Panel needed to weigh up how this could be addressed either through a combination of conditions and a suspension or revocation of the Premises Licence. Notwithstanding that the Premises Licence had been the subject of a successful review in 2012, the Panel determined that whilst it took such breaches seriously it was not reasonable or proportionate that they on their own warranted a revocation of the Premises Licence.

6. Having determined that a revocation of the licence was not proportionate the Panel determined that given there were breaches of four conditions placed on the licence, one of which was the result of an earlier review, and that there had been a previous successful review of the Premises Licence a suspension of the Premises Licence for a period of nine weeks and the attachment of the following additional conditions to ensure the upholding of the Licensing objectives was both appropriate and proportionate.

#### Conditions:

1. That regular update training be undertaken by the management of Abbys which shall include changes to alcohol legislation, the pricing of alcohol on sale at the premises and the imposition of Mandatory conditions on the Premises Licence. Such initial training shall be completed within the period of suspension.

#### Reasons

i. To ensure the promotion of the Licensing Objectives.

ii. That the Panel determined that such training was required given the training

records submitted to it appeared to be out of date.

iii. To define the timescales for such training to ensure the management were able to uphold the Licensing objectives.

2. That the Designated Premises Supervisor be required to undertake training in relation to the CCTV equipment and its operation, such training to be completed within the period of suspension and that the Designated Premises Supervisor also be required to hold on the premises a set of keys to allow immediate access to the CCTV equipment.

#### Reasons

i. To ensure the promotion of the Licensing Objectives.

ii. To ensure compliance with conditions on the Premises Licence and to provide a responsible person for such compliance.

iii. To define the timescales for such training to ensure the management were able to uphold the Licensing objectives.

3. That all staff undertaking alcohol sales at the Premises be required to undertake training, to be provided by an External Trainer, in relation to the Licensing Act and their duties in complying with its requirements, such training to be completed within the period of suspension.

#### Reasons

i. To ensure the promotion of the Licensing Objectives.

ii. That the Panel determined that external training was required given the training records submitted to it appeared to be out of date and to ensure staff were appropriately trained.

iii. To define the timescales for such training to ensure the management were able to uphold the Licensing objectives.

4. That, further to 3 above, the Designated Premises Supervisor be required to forward to the Council's Licensing Manager a copy of the training undertaken together with named copies of the examinations undertaken by staff following the external training undertaken, such documentation to be provided within the period of suspension.

#### Reason

i. To allow the Licensing Authority to satisfy itself that the management and staff of Abbys was properly trained and able to uphold the Licensing Objectives.

That in addition to the conditions set out above the Designated Premises Supervisor

be reminded of her duty to be aware of all conditions placed upon the Premises Licence and to ensure compliance with them and that the training referred to in the conditions above must first be undertaken within the nine week period of suspension.

The Chair reminded all parties that they had the right of appeal to the Magistrates Court and that an application for any such appeal should be made within 21 days of the receipt of this decision notice incorporating the reasons for the Panel's decision.

**LICENSING PANEL**

**TUESDAY, 23 JUNE 2015**

PRESENT:- Councillors Alan Bishop, Oliver Donachie and Peter Watts

**7. Appointment of Chair**

Resolved – That Councillor Peter Watts Chair this meeting of the Panel.  
(Councillor Watts took the Chair)

**8. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**9. Exempt Items - Exclusion of Press and Public**

That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in Item 5 of the Notice of the Meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act. (Minute 11 refers.)

**10. Application to Vary a Premises Licence to Specify an Individual as a Premises Supervisor**

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an objection, received from Wiltshire Police to an application to make Mrs Kavitha Sathiyathevan the Designated Premises Supervisor for Abby's, 147 Manchester Road, Swindon, SN1 2AF, (b) written representations from Wiltshire Police objecting to the appointment of Mrs Kavitha Sathiyathevan as the Designated Premises Supervisor for Abby's, 147 Manchester Road, Swindon, (c) oral submissions in support of the objection from Jacqueline Gallimore (Acting Police Licensing Manager) and PC Diffin, (d) oral submissions received in support of the application from Messrs Britton and Ioannov (Devereaux Solicitors) solicitor to the applicants, and Mrs Kavitha Sathiyathevan (Designated Premises Supervisor nominee), (e) consideration of Police Storm logs and Statements from PC Keith McLaren and PC Michael Diffin regarding the sale of alcohol to a woman the Police believed to be drunk, (f) CCTV footage from Abbys showing the sale of alcohol to a woman the Police believed to be drunk, (g) questions from Members to the Police and Mrs Kavitha Sathiyathevan and her legal representative and answers received, and (h) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Statement of Licensing Policy.

The Police case for opposing the appointment of Mrs Kavitha Sathiyathevan as Designated Premises Supervisor can be broadly summarised as follows:

- The objection related to a pending prosecution of Mrs Kavitha Sathiyathevan for the sale of alcohol to a drunk person contrary to Section 141(1)(a)2(a) and (4) of the Licensing Act 2003.

- That Mrs Kavitha Sathiyathevan was therefore not an appropriate person to hold the role of Designated Premises Supervisor.
- Paragraph 4.26 of the Guidance to Licensing Act 2003 was relevant.
- That the Panel had the powers to hear the case before the matter was presented to the Magistrates Court.
- A verbal brief from PC Michael Diffin regarding the issues facing licensed premises in the area of Broadgreen, arising from the sale of alcohol including antisocial behaviour and public nuisance arising from street drinkers.
- PC Diffin's evidence as to the assistance offered to licensed premises in respect of upholding the Licensing Objectives and the need for strong management who understand their obligations under the Licensing Act in licensed premises to facilitate this work.
- The conditions currently in operation at the premises (conditions 15 to 18 having been imposed by a previous Licensing Panel following a successful review).
- The Police view that the premises have struggled to operate properly in a difficult area.
- A response to Councillor Oliver Donachie regarding exceptional concerns and the Police's level of concern that there was no definition in the guidance but that the Police had considered a common sense approach based on knowledge, the location of the premises, the individual and the history of the operation of the premises.
- The concerns of the Police in respect of the training records provided and the lack of evidence of any updated records.
- That two Police officers had submitted evidence that in their opinion a sale of alcohol had been made to a customer who was drunk as the sale was witnessed and in their opinion the customer was drunk when entering and leaving the shop.
- That the customer in question was known to the Police regarding alcohol issues.
- That the shop was on a red route and had been so for six years which increased issues facing the premises and its staff.

Points raised by the applicant and her solicitor could be broadly summarised as follows:

- The objection to Mrs Kavitha Sathiyathevan becoming the Designated Premises Supervisor was set out on page 31 of the agenda papers and the main reason was her impending prosecution.
- If this matter, yet to be determined, was taken out of the equation then there was little else to consider and Mrs Kavitha Sathiyathevan should be treated as innocent until proven guilty in respect of the pending court case.
- CCTV footage of the sale of alcohol to a woman who was allegedly drunk was available for review.
- The conditions referred to in the Police submission were not against the applicant but were against the Premises Licence.
- If the Panel were satisfied that Mrs Kavitha Sathiyathevan was a suitable person to be a Designated Premises Supervisor, if the later court case were to go against her then the Premises Licence could be subject to a further application for review.

- The test before the Panel was one of common sense and was subjective as to whether the person identified by the Police was drunk or not.
- Mrs Kavitha Sathiyathevan gave evidence that she had not knowingly sold alcohol to a person alleged to have been drunk.
- Mrs Kavitha Sathiyathevan was asked by her legal advisor to explain
- Questions by her solicitor to the applicant and answers provided related to her understanding of the Licensing Objectives, who she could sell alcohol to, how she would identify someone who was drunk, her experience of drunk people attempting to buy alcohol, the challenge 21 policy, the legal age for buying alcohol, whether people were allowed to consume alcohol on the premises, the hours under which sales of alcohol were permitted, and the maintenance of a refusals book, the use and operation of CCTV in the shop,
- That Police concerns regarding training records were based on old records and that these had not formed part of the written Police submission which related to a sale of alcohol to a person alleged to be drunk.
- That the applicant was in possession of a personal licence and as such needed to pass the relevant test.

The Panel also heard Police questions to and answers from Mrs Kavitha Sathiyathevan in respect of her knowledge of the conditions on the Premises Licence, how the applicant would conduct a Health and Safety Assessment at the premises, training undertaken by the applicant and her understanding of the Licensing Act.

The Panel adjourned to reach its decision but determined that as the decision largely rested on the determination of whether, in its view, there had been a sale of alcohol by Mrs Kavitha Sathiyathevan to a drunk person that it would review the CCTV footage, consider the statements of PC Diffin and McLaren and review the Police Storm Logs. Following this it would consider submissions from both parties in respect of that information.

The Police submission on the CCTV footage and Police Statements and Police Storm Logs can be broadly summarised as follows:

- That the statements of PC Diffin and PC McLaren referred to evidence of the person buying alcohol being drunk before she entered the shop and upon exiting it.
- That the statements did not come to life the same as if the Police officers were present to explain them.
- That CCTV footage on its own couldn't identify drunkenness of an individual but the Police had vast experience in doing this and the Criminal Prosecution Service had accepted Police evidence relating to this matter.
- The Police were satisfied the woman on the CCTV footage was drunk at the time of the sale of alcohol.
- In response from a question from Councillor Oliver Donachie the Police confirmed that one of the skills the police possessed was determining tolerance to alcohol when determining the level of drunkenness.

The submission on behalf of the applicant on the CCTV footage and Police Statements and Police Storm Logs can be broadly summarised as follows:

- That the sale of alcohol needed to be made to a person who the applicant knew to be drunk.
- The Police review was set out in paragraphs 3 and 4 of their letter dated 15<sup>th</sup> April 2015 and that CCTV footage didn't support this contention.

The Panel adjourned to reach its decision

Resolved – That the application by the Premises Licence Holders to vary the vary the Premises Licence granted in respect of Abbys, 147 Manchester Road, Swindon, to specify Mrs Kavitha Sathiyathevan as the Designated Premises Supervisor be approved.

### Reasons

1. The Panel heard evidence from the Police regarding the sale of alcohol to a women they described as drunk, Police experience in determining such matters, together with Storm Log details of the person in question relating to her drinking and travelling from the town centre to the Manchester Road area. It also considered the issue of whether as a person known to the Police might have a higher than normal tolerance for alcohol and whether she might be able to better mask its effect on her.

2. The Panel considered the statements provided by PC McLaren and PC Diffin and weighed these against the CCTV footage which showed the sale in question, the person in question entering the shop, conversing with Mr Raveendran, being assisted in choosing the alcohol she wanted, paying for her sale, checking her change and putting a donation in a charity box placed upon the counter. The Panel did not see evidence of drunkenness during these actions. The Panel also considered the evidence of Mrs Kavitha Sathiyathevan that she did not believe the lady shown on the CCTV footage to be drunk.

3. The Panel noted the contents of the Police Storm Log indicating that the customer referred to in the Police case had been drinking in the town centre prior to arriving at Abbys but also noted that they did not refer to her as being drunk.

4. The Panel determined that in their view it was not proven to their satisfaction that Mrs Kavitha Sathiyathevan had sold alcohol to a person she knew was drunk (the person referenced in the CCTV footage).

5. Having reached the determination set out in 4 above the Panel determined that the other concerns expressed by the Police were not sufficient to refuse the application for Mrs Kavitha Sathiyathevan to become the Designated Premises Supervisor for Abbys, 147 Manchester Road, Swindon.

6. The Panel noted that with reference to the outstanding case in the Magistrate's Court that this would be dealt with, on its merits and evidence presented to the Licensing Magistrates at that hearing. It made no attempt to prejudge that hearing and noted that should the charges be proven the Court would make its own determination as to any action to be taken.

The Panel noted it had some concerns regarding training at the premises and felt



that these should be addressed through training provided by an independent external trainer.

The Chair reminded all parties that they had the right of appeal to the Magistrates Court and that an application for any such appeal should be made within 21 days of the receipt of this decision notice incorporating the reasons for the Panel's decision.

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**APPEALS COMMITTEE**

**FRIDAY, 22 MAY 2015**

PRESENT:- Councillors Michael Bray (in the Chair), Paul Baker, John Ballman, Alan Bishop, Wayne Crabbe, Stephanie Exell, John Haines, Richard Hurley, Gemma McCracken, Teresa Page, Vera Tomlinson and Peter Watts.

**1. Minutes**

Resolved – That the minutes of the meeting held on 6<sup>th</sup> June 2014, be confirmed and signed.

**2. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**3. Public Question Time**

No public questions were received during the meeting.

**4. Local Government Act 1989 - Section 15: Review of Political Balance Arrangements**

Resolved – That, further to Minute 13(2) of the Council, and having carried out a review under Section 15 of the Local Government and Housing Act 1989 this Committee continue to apply political balance arrangements under the Act.

**5. Appointment of Sub-Committees and Panels**

Resolved – (1) That an Ad Hoc Appeals Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2015/16” and comprising Councillors Paul Baker, John Ballman, Mick Bray, Steph Exell, John Haines, Richard Hurley and Gemma McCracken.

(Deputies: All remaining Members of their respective Groups.)

(2) That an Education Appeals Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2015/16” and comprising 3 Councillors to be drawn from Councillors Paul Baker, John Ballman, Alan Bishop, Mick Bray, Wayne Crabbe, Steph Exell, John Haines, Richard Hurley, Gemma McCracken, Teresa Page, Vera Tomlinson and Peter Watts.

(Deputies: All remaining Members of their respective Groups.)

(3) That an Introductory Tenancy Review Board be appointed having the functions set out in the document “Swindon Council Constitution 2015/16” and comprising 3 Councillors Councillors Paul Baker, John Ballman, Alan Bishop, Mick Bray, Wayne Crabbe, Steph Exell, John Haines, Richard Hurley, Gemma McCracken, Teresa Page, Vera Tomlinson and Peter Watts.

(Deputies: All remaining Members of their respective Groups.)

(4) That a Social Services Review Panel be appointed having the functions set out in the document "Swindon Council Constitution 2015/16" and comprising 3 Councillors to be drawn from Councillors Paul Baker, John Ballman, Alan Bishop, Mick Bray, Wayne Crabbe, Steph Exell, John Haines, Richard Hurley, Gemma McCracken, Teresa Page, Vera Tomlinson and Peter Watts.

(Deputies: All remaining Members of their respective Groups.)

(6) That a Staff Appeals Sub-Committee be appointed having the functions set out in the document "Swindon Council Constitution 2015/16" and comprising Paul Baker, Alan Bishop, Mick Bray, Gemma McCracken, Teresa Page, Vera Tomlinson and Peter Watts.

(Deputies: All remaining Members of their respective Groups.)

**EDUCATION TRANSPORT APPEALS SUB-COMMITTEE**

**MONDAY, 20 APRIL 2015**

PRESENT:- Councillors Abdul Amin, Peter Watts and Alan Bishop.

Apologies for absence were received from Councillor Andrew Bennett.

**62. Appointment of Chair**

Resolved – That Councillor Peter Watts be appointed Chair of this meeting of the Sub-Committee.

**63. Declarations of Interest**

The Chairman reminded Members of the need to declare any known interests in any matters to be considered at the meeting. There were no declarations made.

**64. Minutes**

The Minutes of the Sub-Committee held on 25<sup>th</sup> March 2015 were agreed as a correct record.

**65. Exempt Items - Exclusion of Press and Public**

Resolved – That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 66 refers).

**66. Home to School Transport Appeals**

The Sub-Committee considered (a) a report of the Board Director, Commissioning setting out education transport appeals that officers could not determine under delegated authority and (b) the written submissions of parents in support of their appeals.

Resolved – (1) That, due to there being no exceptional circumstances, appeal number TA/15/437 be refused.

(2) That, due to the exceptional circumstances outlined in the appeal, appeal numbers TA/15/456, TA/15/458 and TA/15/459 be upheld and public transport be provided until the end of the academic year 2014/15.

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**APPOINTMENTS COMMITTEE**

**FRIDAY, 22 MAY 2015**

PRESENT:- Councillor David Renard (in the Chair), Steve Allsopp, Ray Ballman, Fionuala Foley, Jim Grant, Brian Mattock, Mary Martin, Des Moffatt, Garry Perkins and Kevin Small.

An apology for absence was received from Councillor Dale Heenan.

**1. Minutes**

Resolved – That the minutes of the meeting held on 6<sup>th</sup> June 2014, be confirmed and signed.

**2. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**3. Public Question Time**

No public questions were received during the meeting.

**4. Local Government Act 1989 - Section 15: Political Balance Arrangements**

Resolved – That, further to Minute 13(2) of the Council, and having carried out a review under Section 15 of the Local Government and Housing Act 1989 this Committee continue to apply political balance arrangements under the Act.

**5. Appointment of Sub-Committees**

Resolved – (1) That a Chief Officer Appointments Sub-Committee be appointed having the functions set out in the document “Swindon Borough Council Constitution, 2015/16” and comprising Councillors Steve Allsopp, Fionuala Foley, Jim Grant, Brian Mattock, Des Moffatt, Garry Perkins and David Renard.

(All Conservative Group and Labour Group Members be appointed as deputies.)

(2) That a Deputy Chief Officer Appointments Sub-Committee be appointed having the functions set out in the document “Swindon Borough Council Constitution, 2015/16” and comprising Councillors Steve Allsopp, Fionuala Foley, Jim Grant, Brian Mattock, Des Moffatt, Garry Perkins and David Renard.

(All Conservative Group and Labour Group Members be appointed as deputies.)

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## **Section 4**

# **Children Services Bodies Minutes**

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**SWINDON CHILDREN'S TRUST BOARD**

**THURSDAY, 12 MARCH 2015**

PRESENT: Liz Holmes (Chair), Councillors Michael Bray and Cindy Matthews, Kathie Bryan (Association of Swindon Special Schools Headteachers), Debbie Kalyinka (Swindon Association of Primary Headteachers), Steve Colledge (Swindon Association of Secondary Headteachers), Valerie Johnstone (Governors), John Gilbert (Group Director), Mike Howard (Local Safeguarding Children's Board), Karen Reeve (Head of Children's Social Care, Community Health and Family Service), Paddy Bradley (Head of Economy, Skills and Property Development), Dr Wendy Woodhouse (Child and Adolescent Mental Health Services), Caroline Little (Child and Adolescent Mental Health Services), Paul Dobson (Swindon Ten to Eighteen Project), Sally Burnett (Commissioner, Routes to Employment), Victoria Guillaume (Strategic Planning Manager), Gareth Cheal (Strategic Planning Manager).

Apologies for absence were received from Sue Wald (Head of Commissioning, Children and Adults), Supt Andrew Carr (Police), Cherry Jones (Director of Public Health), David Dawson (Diocese) and Jenny Lewis (Barnardos).

Also in attendance: Councillor Fionuala Foley.

**32. Minutes**

Councillor Foley informed members that this was the last meeting of the Swindon Children's Trust Board. She referred to the excellent work undertaken and overseen by the Board to ensure safeguarding in Swindon and that this had been positively highlighted by the previous two Ofsted inspections. She explained the reasons for this decision and commented on the changing landscape particularly to the high conversion rate of local schools to academies and on how this had affected membership and attendance.

Councillor Foley explained that Ofsted's main focus was now on attainment and referred to the need to review governance arrangement. She thanked all members for their attendance and contribution in the past, particularly the Chair for her work as a member and then Chair of the Board.

Resolved: (1) That the minutes of the meeting held on 4<sup>th</sup> December 2014 be confirmed and signed as a correct record.

(2) Noted that this would be the last meeting of the Swindon Children's Trust Board.

(3) Noted that further to Minutes 26 of the minutes, the Community Safety Partnership Team to liaise with Wiltshire Police Crime Prevention Department on implementing the Youth Engagement Strategy.

(4) That members of the Board and officers be thanked for their valuable work during the past years and their attendance at the Board's meetings.

**33. Public Question Time**

No public questions were asked at the meeting.

**34.****Youth Forum Update**

The Cabinet Member for Children's Services and the Board Director Commissioning presented a joint report updating the Board on the joint project between the Youth Forum, Member of Youth Parliament (MYP) and the Routes to Employment Team. Mr Paul Dobson, Project Manager, STEP (Swindon Ten to Eighteen Project), presented the report and referred to the progress made following the Apprenticeship Workshop held on 27<sup>th</sup> October 2014. He explained that the consultation exercise had been expanded to include young people attending therapeutic groups and following the Apprenticeship Workshop, the need to widely promote apprenticeships in schools as part of the curriculum. He referred to the benefits this would have for school leavers. Mrs Sally Burnett, Commissioner, Routes to Employment, explained how some apprenticeships were now a pathway to obtaining a university degree and reiterated Mr Dobson's comments regarding the need to promote apprenticeships with employers, parents and young people.

The Chair welcomed the report and explained how this work positively linked to the "Routes to Employment" report (Minute Item 35). She commented on the importance of breaking down perceptions barriers regarding apprenticeships and on the need to engage parents. Members noted how rebranding apprenticeships may highlight employability opportunities and identify progression routes to employment for your young people. The Chair further commented on the five week window of opportunity to promote this work when Year 11 pupils completed their exams.

Resolved: That the report be noted.

**35.****Routes to Employment for Vulnerable Groups**

The Cabinet Member for Children's Services and the Board Director Commissioning presented a joint report to provide a) an overview of the local authority's statutory duties regarding the participation of young people 16 to 25 in education, employment or training; b) to update members on the current participation outcomes; and c) to comment on strategies in place to improve routes to employment for vulnerable groups.

Mrs Sally Burnett, Commissioner, Routes to Employment, explained the statutory duties, highlighted current outcomes and elaborated on the strategies in place, particularly referring to the Skills and Employment Strategy that included actions to improve routes to employment for vulnerable young people in Swindon. She commented on work being undertaken with learning providers to ensure guidance and support provided was effective and productive. Mrs Burnett explained that support for young people with special educational needs continued until they were twenty five, in terms of having a personal advisor to support them through a Pathway Plan.

Mrs Burnett, responded to members comments and questions on the following issues:

- Challenges faced by Youth Offenders.
- The collaborative work being undertaken with the Youth Offending Team to ensure youth offenders were on the right pathways and were able to overcome any barriers to employment.
- Review strategies to introduce support for Year 11 pupils towards the end of their scholastic year.

- The importance of Special Educational Needs Co-Ordinators (SENCO) in schools who were able to support young people with special education needs to identify the right route to employment.
- Encourage data sharing with other stakeholders.

Resolved: That the current education, employment and training outcomes for vulnerable groups, the strategies in place and the future challenges as highlighted in the report, be noted.

### **36. Emotional and Mental Health Support for Children and Young People in Swindon**

The Cabinet Member for Children's Services and the Board Director Commissioning submitted a report updating members on the emotional and mental health needs of children and young people in Swindon and on the performance of the local Child and Adolescent Mental Health Services (CAMHS). Mrs Caroline Little, Joint Children's Health Commissioner, CAMHS, referred to the multi-agency and tiered approach to this work and commented on the current review being conducted regarding the needs and services of young people in Swindon. Mrs Little elaborated on the four tiers of CAMHS work and advised that demand for services had increased over the past years, resulting in a range of actions being undertaken to reduce the waiting list. She confirmed that the number of caseloads remained static, with time spent on each case being extended.

Following her presentation of the report, Mrs Little responded to members' questions and observations on the following issues:

- Tier 3 CAMHS demand. Reasons for the percentage reduction of new referrals offered an assessment within four weeks of referral and the actions being taken by the department to address this.
- Engagement with schools enabling them to access Targeted Mental Health Services (TaMHS) and CAMHS and how the quality of service provided to schools would be monitored.
- How services were provided to schools through Traded Services.
- Clarification on ways parents were able to access CAMHS.
- Importance of information sharing particularly for young people at risk of self-harm.
- The range of therapeutic support available for young people at risk of experiencing child sexual exploitation.

Resolved: (1) That progress on the needs assessment and service developments made by the Child and Adolescent Mental Health Services, be noted.

(2) That the Joint Children's Health Commissioner, be requested to circulate to members of the Board, information on how parents were able to access CAMHS.

### **37. School Admission Arrangements 2016-17**

The Board Director Commissioning, Children and Adults and the Head of Economy, Skills and Property Development, submitted a joint report concerning the co-ordinated admission arrangements for Year 3, Year 7 and Year 10 (University Technical College) and on the in-year admission scheme for Community and Voluntary Controlled schools in Swindon from September 2016. Mr Gareth Cheal, Strategic Planning Manager, explained the report was submitted annually as part of the legal requirement to consult on the admission arrangements. He referred to the report structure where it reflected the Council's responsibilities for the Co-

Ordinated Scheme and b) the Council's responsibilities as an admitting authority. Mr Cheal highlighted two changes in the 2016/17 Admission arrangements from previous years. These related to the priority given to children naming a specific school on their Education, Health and Care Plan and the change in catchment area for Isambard School.

Resolved: That the Swindon Children's Trust Board recommends Cabinet to approve:

(1) The Co-ordinated Scheme of Admission Arrangements for the normal point of entry [Reception Year, Year 3, Year 7 and Year 10 (University Technical College)] and In Year admissions for all primary schools and secondary schools in Swindon for September 2016.

(2) The admission numbers for Community and Voluntary Controlled schools for September 2016.

(3) That, if approved by Cabinet at its meeting on 18<sup>th</sup> March 2015, the proposals referred to in (1) and (2) above were determined by 15<sup>th</sup> April 2015 and will be implemented by the Board Director, Commissioning for school admission for September 2016 for all applicants.

(4) That the Strategic Planning Manager be requested to add a recommendation to the report clarifying the position of the University Technical College as an academy within the admission process.

### **38. Children's Services Performance Report**

The Cabinet member for Children's Services and the Board Director Commissioning submitted a joint report updating the Board on the final performance outturn for Children's Services for the period to December 2014. Mrs Victoria Guillaume, Strategic Planning Manager, highlighted the improvements that had been made and the areas still causing concerns. Mr Paddy Bradley, Head of Economy, Skills and Property Development, responded to questions and comments from the Board regarding the following issues:

- Future arrangements for recording and presenting children's performance data to the agencies represented on the Swindon Children's Trust Board. Councillor Foley referred to other Committees where this report would be submitted.
- Reasons for the high number of fixed term exclusions and actions of the Fair Access Panel to support pupils at risk of exclusion.
- An analysis to be conducted to help identify reasons for the low rate of Early Help Record and Plans being undertaken.
- Identifying ways to promote Early Help Record and Plans.
- The demand on the 'front door' of social care - demographics behind referrals.

Resolved: That the performance data for the period to end of December 2014, be noted.

### **39. Minutes of Local Safeguarding Children's Board**

The Cabinet Member for Children's Services and the Board Director, Commissioning submitted a joint report setting out the minutes of the Local Safeguarding Children's Board (LSCB) meeting held on 9<sup>th</sup> December 2014. Mr Mike Howard, Chair of the Local Safeguarding Children Board (LSCB) introduced the report and commented on the minutes. Mr Howard referred to the four new lay

members sitting on the LSCB. He remarked on the on-going work being undertaken regarding the increase in the number of children presenting at Great Western Hospital as self-harming and child protection issues resulting from domestic abuse. Mr Howard explained that the LSCB Business Plan reflecting new priorities for the Board, particularly focusing on child protection issues, would be submitted to the Health and Wellbeing Board meeting in May 2015.

Resolved: That the report and minutes of the Local Safeguarding Children's Board meeting held on 9<sup>th</sup> December 2014, be noted.

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**SCHOOLS FORUM**

**TUESDAY, 17 MARCH 2015**

PRESENT: -

**School Members:** Steve Colledge, Chair - Academy Headteacher  
Rhian Cockwell, Primary Headteacher  
Wendy Conaghan, Academy Headteacher  
Ben Slater, EOTAS  
Susan Banks, Secondary Headteacher  
Alison Lowe, Primary Headteacher  
David Bell, Secondary Governor  
Ray Williams, Primary Governor  
Charles Law, Special Governor  
Kate Adams, Early Years  
Jo Morris, Early Years

**Non-School Members:** Peter Smith, Trade Unions

**Also Present:** Councillor Fionuala Foley (Cabinet Member for Children's Services), Paddy Bradley (Head of Economy, Skills and Property Development), Ian Burbidge (Head of Finance, Schools), Anne Mackay (Finance Manager, Education).

Apologies for absence were received from Andrew Henstridge (Primary Headteacher), Ruth Lee (Diocese of Clifton), Andrew Miller (16-19 Partnership), Ram Thiagarajah (BME), Sharon Kirwan (Academy Headteacher), Janet Urban (Primary Headteacher), Jackie Smith (Special Headteacher), Jane Wheatley (Primary Headteacher) and Lauren Connor (Academy Headteacher).

**21. Minutes of Previous Meeting**

Resolved: That the minutes of the meeting held on 20<sup>th</sup> January 2015 be confirmed and signed as a correct record.

**22. Public Question Time**

The following question was asked in accordance with standing Order 28 –

Questioner

Alastair Dixon-Patterson, Lydiard Park Academy

Question

Mr Dixon-Patterson asked a series of questions relating to (a) the amount of the £522,000 Dedicated School Grant surplus that had been allocated to reduce equal pay liabilities had been transferred to academies, maintained schools and central services, and (b) how an academy would see its share reflected or received.

### Response

The Chair thanked Mr Dixon-Patterson for his questions and advised that a written response had been prepared and circulated.

## **23. 2014-15 Dedicated Schools Grant Budget Position**

Mr Ian Burbidge, Head of Finance, Schools, presented a report setting out the latest position of the 2014/15 Dedicated Schools Grant (DSG) budget.

Mr Burbidge advised that based on information at the end of February 2015, an underspend of £0.491m was projected against the retained DSG Budget for the current financial year. He confirmed that the DSG figures were submitted monthly to the Commissioning, Economy and Leadership team. He drew attention to the £0.095m additional Capital expenditure required to support the Capital budget to build capacity in the two year old provision.

Resolved: (1) That it be noted that the latest projection on the 2014/15 retained budget was an underspend of £0.491m.

(2) That the Schools Forum agrees the additional Capital expenditure of £0.095m to support the capital budget of £0.067m and build capacity in the two year old provision as referred to in the report

## **24. Projected 2014 - 15 Year End School Balances**

Mr Ian Burbidge, Head of Finance, Schools, presented a report advising of the indicative position regarding the level of projected 31<sup>st</sup> March 2015 school revenue balances as compared to the levels expected when 2014/15 schools budgets were set in June 2014.

Mr Burbidge confirmed the end of financial year position was that 29 schools had been effective in their financial planning. Only 3 schools indicated a difference in their budgets as opposed to their estimates. The Forum noted that the forecast level for 31<sup>st</sup> March 2015 was expected to be £3.40m.

Resolved: That the Schools Forum notes:

(1) That 29 out of 42 (69%) of Swindon maintained schools current estimates of their year end balances for 2014/15 were close to the estimates provided when budgets were set as measured by the thresholds agreed by Schools Forum.

(2) That only 3 of 42 (7%) of Swindon schools had reported significant variances between their current and initial estimates of their projected year end balances and that the narrative explanations for the variances had been provided to members of the Forum.

(3) That the latest estimated school balances (adjusted to exclude in-year Academy conversions) were forecast to be £3.40m, which was 12% higher than initial estimates of £3.08m.

(4) That two maintained schools were anticipating being in deficit at 31<sup>st</sup> March 2015, though one now expects to be in surplus at 31<sup>st</sup> March 2015.

(5) That the Head of Finance, Schools, be requested to present further information on school balances at the July 2015 Schools Forum showing how each schools' estimate compared to their final year end positions.

The Forum considered a report by Mr Ian Burbidge, Head of Finance, Schools, updating the Forum on the 2015/16 Dedicated Schools Grant (DSG) settlement, including (a) notification of additional funding to the DSG Allocation to support the introduction of the Early Years Pupil Premium, (b) the submission of the Authority Proforma Toolkit to the Education Funding Agency, enabling mainstream budget to be calculated, (c) the reasons for the need of additional Trigger Funding within the Pupil Growth Fund (d) the increase of £40,000 over the budget approved by School Forum in January 2015 for the purchases of national copyright licenses through the Department for Education, (e) on the importance that schools verify licences they bought to ensure unnecessary double payments were not made (f) the transfer of £0.235m from High Needs Contingency Budget to the Special Educational Needs Resourcing and Assessment Panel (SENRAP) budget, enabling expenditure to remain on track, and (f) in-year adjustment to the Notional Special Education Needs (SEN) Top Up funding.

Mr Paddy Bradley, Head of Economy, Skills and Property Development and Mr Burbidge responded to questions particularly on the implications of all three options being considered by Forum members regarding the Notional SEN Top-up funding. Forum Members noted that the Swindon Association of Secondary Headteachers was yet to comment on the use of permanent exclusion income from schools to support the integration of permanently excluded pupils and agreed to defer voting on the item until the next meeting of the Forum.

Resolved: (1) That the Schools Forum agrees:

(a) A total 2015/16 Pupil Growth Budget of £0.436m, as shown at Annex A of the report.

(b) Approves an increase in the National Copyright Licenses budget of £40,000 in recognition of the change to the arrangements for purchasing Performance Rights Society (PRS), Photographic Performance Ltd (PPL), Mechanical Copyright Protection society (MCPS) and Christian Copyright Licensing International (CCLI) licenses.

(c) The transfer £0.235m of the High Needs Contingency budget to the Special Educational Needs Resourcing and Assessment Panel (SENRAP) budget which was currently overspending.

(d) In respect of the three options outlined in paragraph 9.5 of the report regarding the most appropriate use for the allocation of the £350,000 Notional SEN Top Up Funding budget, given that the current method was not affordable in 2015/16, Option C be agreed and implemented.

(e) The proposal to use the unallocated DSG of £0.165m to support Mainstream Schools High Needs Top Up Funding budget which was currently overspending.

(2) That, further to the decision in (1(d)) above, Notional SEN Top-Up Funding options be submitted to the Schools Forum in March 2016.

(3) That the Head of Finance, Education, be requested to submit a report to the School Forum's meeting in July 2015 to include the possibility of creating a ring-fenced budget of £30,000 to support the reintegration of permanently excluded pupils.

(4) That, further to the decision in (3) above, the Head of Finance, Education be requested to include the views of the Swindon Association of Secondary Headteachers on the subject in the proposed report.

**26.**

### **Schools Financial Value Standard Returns**

Mr Ian Burbidge, Head of Finance, Schools, submitted a report (a) updating the Forum on the findings of the review of the 2013/14 Schools Financial Value Standard (SFVS) self-assessments, as required by the Department for Education, and (b) proposing a consistent process across all relevant schools for future submission.

The School Forum noted the IT issues arising when completing the self-assessment form. Mr Burbidge agreed to support schools in this and requested they contact the Finance department if they had any queries.

Resolved: That this Forum notes that:

(1) The Head of Finance is to issue guidance to schools on how best to complete the Schools Financial Value Standard (SFVS) self-assessment return.

(2) The Local Authority will be reviewing each Schools Financial Value Standard (SFVS) self-assessment response over the next few weeks in detail and may contact individual schools to verify evidence to support their assessments.

**27.**

### **Any Other Business**

The Chair circulated a leaflet from the “f40” Group regarding school funding. He advised that the leaflet was circulated to parents and educationalists and drew members’ attention to the impact of funding formulas on schools, particularly secondary schools.

**28.**

### **Date of Next Meeting**

Meeting dates for the next Municipal Year had not yet been finalised but it was anticipated that meetings would take place at similar times to this Municipal Year – that is in July, October 2015, and January and March 2016. Members would be informed of the dates when confirmed.

**Section 5**  
**Minutes of Wiltshire Police and**  
**Crime Panel, Fire Authority, One**  
**Swindon Board and Town Twinning**  
**Network**

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## **WILTSHIRE POLICE AND CRIME PANEL**

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### **DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 5 MARCH 2015 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.**

#### **Present:**

Cllr Abdul Amin, Cllr Glenis Ansell, Cllr Andrew Bennett, Cllr Richard Britton (Chairman),  
Cllr Trevor Carbin, Cllr Chris Caswill, Cindy Creasy, Chris Henwood, Cllr Charles Howard,  
Cllr Peter Hutton, Cllr Julian Johnson and Cllr Steve Wakefield

#### **Also Present:**

Angus Macpherson – Police & Crime Commissioner  
Kieran Kilgallen – Chief Executive, OPCC  
Chris McMullen – Head of Business Improvement, OPCC  
Naji Darwish – Commission & Programme Manager, OPCC  
Sarah Kyte – Business Manager – OPCC  
Carolyn Filmore, OPCC  
Allan Johns – Independent Appeals Adjudicator

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#### **22 Apologies for Absence**

There were no apologies.

#### **23 Minutes**

##### **Resolved:**

**To confirm and sign as a correct record the minutes of the previous meeting held on 5 February 2015.**

#### **24 Declarations of interest**

There were no declarations of interest made at the meeting.

#### **25 Chairman's Announcements**

There were no Chairman's announcements.

## 26 **Public Participation**

There were no members of the public present or councillors' questions.

## 27 **Horizon Victim & Witness Care**

A presentation on commissioning services for victims in Wiltshire was given by the Chief Executive, OPCC.

He explained that there had been considerable change to support services to victims. A revised Victims Code of Practice had come into force from October 2013 which gave victims a legal right to receive a minimum standard of service from the Criminal Justice System; this had been underpinned by the EU Directive on Victims of Crime from November 2015. The Ministry of Justice had transferred responsibility for commissioning services for victims of all but the most serious crimes to the Police & Crime Commissioners and this new approach would be starting in Wiltshire from 1 April 2015. The Commissioner's Police & Crime Plan included a commitment to put victims and witnesses at the heart of the Criminal Justice System.

The focus of these changes was to support victims who had suffered the most impact from crime including:

- Victims of serious crime.
- Those who felt intimidated
- Those who were persistently targeted.
- The most vulnerable.

This involved victim and stakeholder consultation to develop a commissioning model.

In response to the Victim Code of Practice and the EU Directive, a Horizon Victim & Witness Care Unit was being developed in Wiltshire which would enable a clear supported journey through the Criminal Justice System with direct referral to Victim Service specialist services.

This Victim Service would provide support to individual victims to help them cope with and recover from crime and would:

1. Deliver and manage the support service for a broad range of victims;
2. Work with the OPCC & Police to develop Horizon and develop voluntary capacity and capability, outreach and support for hard to reach groups; and
3. Work with people who did not wish to report a crime

Specialist Support would be provided by independent sexual violence advisors, independent domestic violence advisors, domestic violence outreach and others.



Horizon was a dedicated victim and witness care service, providing victims of Wiltshire and Swindon with:

- a single point of contact through the Criminal Justice System
- support and referral to additional services according to their individual needs.

Benefits of Horizon included:

- ✓ A single point of contact for victims
- ✓ Greater level of support for victims who needed it most
- ✓ Compliance with Victim Code of Practice & EU Directive
- ✓ Reduction in 'chase calls' to CCC and Parade Rooms
- ✓ Greater cohesion between Police and victim support services

The timeframe for the introduction of this new service was as follows:

- "Soft" Launch 2<sup>nd</sup> March – Salisbury area
- Witness care responsibility of the whole team
- Press Launch Tuesday 24<sup>th</sup> March – with Baroness Newlove the Victims' Commissioner
- 1<sup>st</sup> April – Salisbury and North Wiltshire
- 1<sup>st</sup> May – All areas
- Victim Care remains the responsibility of the entire workforce
- 1<sup>st</sup> April – 'Victim Support' service

Whilst fully supporting this new initiative, Panel members did question what could be done to help those victims who did not wish to report a crime. It was explained that an evaluation process was being built into this scheme at a cost of £250,000 and additionally quarterly performance reports would be provided by Victim Support. It was also recognised that consideration would need to be given to the needs of minority groups.

## 28 PCC Diary report

The PCC diary report which set out a summary of commitments the Commissioner had undertaken since the last meeting of the Police & Crime Panel on 5 February 2015 was received.

The Commissioner advised that:

- On 20 January, around 120 Community Speed Watch (CSW) volunteers and 50 Wiltshire Police officers carried out roadside speed checks at 40 locations across Wiltshire and Swindon, this exercise being called Operation Harness. He explained that Community Speed Watch was about local volunteers driving down speed and driving up safety. As a result of the operation, 208 vehicles were identified as speeding, 147 vehicles were stopped with 132 drivers being given warnings about their

speeds. It was envisaged that similar exercises would be carried out on a fairly regular basis. Concern was expressed at the number of young people killed or seriously injured in road accidents in Wiltshire during the past year. The Commissioner had discussed these tragedies with Inspector Steve Cox, Head of Road Policing Operations who considered that the main cause of these accidents was poor driving skills. However, it was noted that the number of accidents far outweighed the number of fatalities. There was a need for further speed watch campaigns and drive safe to stay alive events aimed particularly at young people. The panel noted that non curriculum presentations were being made in schools and work was also being carried out in conjunction with the Youth Parliament.

- He had signed certificates in Calne on 30 January for the positive ticketing scheme. He explained that this scheme was an initiative created by officers in Calne and supported by the Town Council and Calne Area Board, the certificates being awarded to young people who showed good behaviour and set good examples to others. The certificates were due to be presented to eight young people by himself at the meeting of the Calne Area Board the following week. The Commissioner explained that this scheme could be rolled out to other areas but it would require ownership by the local area board or team. Further information could be obtained from Police Sgt. Ben Huggins and the Commissioner stated that he would ask him to prepare a briefing note on how the scheme worked.

#### **Resolved:**

#### **To note the Police & Crime Commissioner's report.**

#### **29 Quarterly Data (Q3) - Risk/Performance/Finance/Complaints**

The Commissioner presented a report setting out his quarterly performance data for the third quarter of 2014 on the following:

**Risk Register** The Commissioner drew attention to the two red risk areas which were:

Collaboration arrangements (risk 7) – it was recognised that failure to maximise operational effectiveness could lead to a loss of opportunities to achieve financial savings and could result in a loss of public confidence in the Commissioner and also the sustainability of the Force. However, the Commissioner explained that the Police & Crime Commissioners in the South West met on a regular basis to maximise collaboration opportunities. A collaboration protocol had been signed by all PCCs and Forces in the South West Region and a Regional Programme Board was now in place. Locally, the Commissioner's membership of the Wiltshire Criminal Justice Board had been confirmed together with membership of other boards, including Public Service Board, Health & Wellbeing Board and the Community Safety & Reducing Offending Strategic Board.

Strategic Alliance with Avon & Somerset Force (risk 8) – failure of this Strategic Alliance could result in key delivery areas being compromised or the requirements of the Wiltshire PCC, the Force or the public and even risk the sustainability of the Wiltshire Police Force. However, the Commissioner explained that there were regular meetings with Avon & Somerset to maximise collaboration opportunities and a governance structure was being developed through which each programme would be monitored. The collaboration between Devon & Cornwall and Dorset would be used as a benchmark and would be aligned with where appropriate.

Other risks were referred to as follows:

Volunteers (risk 3) – Cllr Peter Hutton enquired as to whether a Volunteer Co-ordinator had been appointed. The Commissioner confirmed that Sarah Holden had been appointed to this post and news of her appointment was being communicated to area boards. He would check if this information had been passed to the area localities in Swindon.

Commissioning Arrangements (risk 6) – Cindy Creasy referred to this risk and enquired as to what commercial and commissioning arrangements were being made. Kieran Kilgallen, Chief Executive, OPCC, explained that a holistic approach was needed and that he would report further on agreed strategies which would be required to be worked out with both Swindon Borough Council and Wiltshire Council at the next meeting.

Inspection Programme (risk 26) – It was noted that this would be managed by a Continuous Improvement Team consisting of an Inspector/Sgt. by carrying out serious case reviews and then using the findings to look at potential risks or identify weaknesses.

**Performance Report** In introducing his report, the Commissioner explained certain differences in style which he had introduced which he thought would be more helpful to the Panel and more easily clarify his key priorities for the Force and how it measured against them. The report covered the period April to December 2015.

He confirmed that his key priorities had not changed and remained as follows:

- Reducing crime and anti-social behaviour
- Protecting the most vulnerable in society
- Putting victims and witnesses first
- Reducing offenders and re-offending
- Driving up standards of customer service

- Ensuring unfailing and timely response to calls for help
- Unlocking the resources to deliver the priorities

The Panel was reminded that this performance report had been circulated to members prior to the meeting providing the opportunity to submit questions on its content in advance to enable responses to be prepared in time for the meeting. A series of questions had been submitted by Cindy Creasy and they are appended to these minutes together with the responses.

The Commissioner confirmed that the Force performance remained good and steady and any issues were addressed in his report before the Panel.

It was noted that Supt. Scott Bateman had been appointed as Supt. of Specials and was looking at the number of Specials required and what impact this would have on the training budget. A report was being prepared and was expected to be presented to the Commissioner shortly. It was acknowledged that there were currently 235 Specials employed, as confirmed by the Chief Constable, and the Commissioner had guesstimated that about 300 would be required by the end of May 2016.

Attention was again drawn to the number of prosecutions which failed at Crown Court (12.5%) and Magistrates Court (22.0%) due to the quality of police input, it being noted that the thresholds for these were 10.0% and 17.5% respectively. The Chief Executive, OPCC, stated that the figures were getting closer to the thresholds, but much did depend on the amount of police resources which could be allocated for preparing the cases. Furthermore, the Police were dependent on the Crown Prosecution Service (CPS) agreeing that there was sufficient evidence before a case could proceed to Crown Court. The CPS was also subject to cuts in budget which meant that there were fewer court sittings. It was noted that the Commissioner was pursuing this serious issue with the Criminal Justice Board. Furthermore, the Criminal Justice Board would not provide information explaining why Wiltshire's conviction statistics were below the national threshold.

The Commissioner drew attention to the withdrawal of the custody suite at Salisbury which was a consequence of the closure of the Divisional Police Headquarters. At present on a temporary basis, those arrested in the south of the County were taken to the detention suite at Melksham but the Commissioner hoped to be able to report at the next meeting on new proposals for the custody of offenders in the south of Wiltshire.

The Chairman drew attention to the redesigning of the restorative justice system in Wiltshire and noted that the Out of Court Disposals Manager (OOCDM) had now completed her review of the Force community resolution procedures and had presented a paper to the Head of Justice with recommendations. The progress of this project was now being considered in light of the recent

conclusion of the Neighbourhood Justice Panel pilot. It was noted that the OOCMD and the Force Crime Registrar had met with neighbouring forces who had adopted a different approach to the restorative justice issue and these approaches were now being considered following which a decision would be made on how restorative justice would be revised. It was noted that a superintendent had been appointed to oversee the restorative justice training of an inspector and cohort.

The Chairman also drew attention to the number of licensed premises checks since April 2014, currently 2,816, a significant number of which had not been fully reported in the system. It was explained that licensing officers were now supporting local officers to refresh the process of carrying out checks to a high standard and how to record them effectively within the system. It was most important that checks were conducted to a high quality and not just completed ineffectively to keep the numbers high. The Panel considered it important that the three hub-based licensing officers worked to a similar process failure of which led to confusion and problems especially to the Force.

**Budget Monitoring Statement** The Commissioner presented a Wiltshire Police monitoring statement for the period April to December 2014.

The Panel noted that the Force was currently running with a significant number of staff vacancies. The exact number was difficult to identify due to time delays in processing data in the HR system but it was considered that the figure could well be in excess of 50. Work was ongoing with HR to recruit posts but the current level of vacancies would lead to a significant underspend. The revised pay settlement had a positive impact in 2014-15 of £75,000 but it was likely to cost a further £148,000 in 2015-16.

**Complaints** Allan Johns, Independent Appeals Advisor, presented his report which covered the period April 2014 to January 2015, together with quarterly performance figures up to 31 December 2014.

It was noted that Wiltshire appeared to be relatively poor at recording complaints, the Independent Police Complaints Commission (IPCC) reporting a change of 23% against a national average of 15% for the period 2012/13 – 2013/14. However, it was pointed out that a number of complaints had been withdrawn.

With regard to appeals, it was noted that whilst appeals against investigation were significantly lower than the national average (41% against 52%), the appeal numbers against local resolution were significantly above the national average (48% against 36%). It was explained that these differences were most likely a simple reflection of the fact that Wiltshire settled many more complaints by local resolution than most other forces.

**Resolved:**

- (1) To receive and note the contents of the Commissioner's report setting out his quarterly performance data for the third quarter of 2014.**
- (2) To request the Commissioner to provide a report to the next meeting of the Panel setting out a coherent strategy for the role of the Special Constables agreed by the Commissioner and the Chief Constable.**

### **30 Strategic Alliance with Avon & Somerset Constabulary**

The Commissioner, assisted by the Chief Executive, OPCC, provided a verbal update on developments since the last meeting.

It was reported that the Commissioner, together with his counterpart for Avon & Somerset, Ms Sue Mountstevens, had met in early February to start the process of developing workstreams. They were due to meet again on 18 March to start discussing head of terms and ways of working.

There was much work to undertake including the development of a set of strategic principles and a design brief based on the national government system with two Police & Crime Commissioners, two Chief Constables together with a board to include Heads of Operations, two Chief Executives and two Chief Finance Officers. A timetable would need to be worked out for the undertaking and completion of all this work. It was not expected that there would be more to report until the early Summer when it was to be hoped that the design briefs and communications strategy would have been completed.

It was explained that the cost of the Strategic Alliance exercise was not yet known but it was anticipated that at least some information would be available within the next couple of months. Costs would be apportioned equally between the two Forces. The Panel was informed that a bid for funding for this exercise would be made to the National Innovation Board later in the year.

The Chairman referred to the list of collaborative arrangements that had been set up with other Forces in the South West and enquired as to what extent these existing arrangements would be expected to continue once the Strategic alliance with the Avon & Somerset Force had been finalised. The Chief Executive, OPCC, explained that the Devon & Cornwall and the Dorset Forces were also developing a Strategic Alliance which left only the Gloucestershire Force which was not considering such a partnership at the present time. He went on to explain that existing collaborations should not be affected by these strategic partnerships and would be simplified with the revised working arrangements.



### 31 **Chief Constable Recruitment**

A verbal update was provided by the Commissioner and the Chief Executive, OPCC.

The Commissioner reported that an advert for a new Chief Constable was due to appear in Police Professional on 19 March 2015 with a closing date for applications being 14 April. It was planned to shortlist on 20 April and to hold interviews hopefully on 5 May. The Commissioner hoped that the Leaders of both Wiltshire Council and Swindon Borough Council would be involved in the interview process.

The Chairman reminded Members that the appointment would be subject to scrutiny and confirmation by this Panel and it was customary for this process to take place within a period of two days. However, in view of the General Election being held on 7 May, some thought would need to be given as to when the Panel would meet.

### 32 **Interim report of the Police Performance Review Working Party**

Consideration was given to a report by the Senior Scrutiny Officer which presented the findings and recommendations of the Police Performance Review Working Group.

The Panel was asked to:

- (1) consider the Working Group's initial findings and recommendations so far, and
- (2) discuss which performance information and indicators should be included in every quarterly performance report provided by the Commissioner.

**Resolved:**

- (1) **To endorse the recommendations of the Working Group and to request the Commissioner to make the following amendments to the quarterly performance report he provided to the Panel:**
  - (a) **To remove the performance thresholds and RAG-ratings, with the aim of:**
    - reflecting the shift away from performance targets locally and nationally, with performance targets having been shown to create perverse incentives and reduce data quality; and
    - helping the Panel to focus on supporting delivery of the Police and Crime Plan rather than the achievement of numerical targets.

- (b) To continue to include a range of performance data, with the emphasis on enabling comparisons with historic data and data from other forces and force areas, particularly Wiltshire's Most Similar Forces (MSFs).
- (c) To include information where appropriate from the force inspection reports produced by Her Majesty's Inspectorate of Constabularies (HMIC).
- (d) To address any areas of performance that, for that period,
  - (i) Have shown a significant change;
  - (ii) Are of particular concern to the Commissioner;
  - (iii) Are an area of excellent work or progress; or
  - (iv) Are prominent in the local or national media.
- (e) Each performance report to focus on a group of objectives in the Police and Crime Plan including updates on relevant projects and initiatives, with the grouping of objectives to be agreed by the working group in its final meeting and referred to the Commissioner.
- (f) To adopt the following structure for reporting progress with each Police and Crime Plan objective:
 

**Police and Crime Plan Objective X**

  - (i) Latest performance information
  - (ii) Commentary and context
  - (iii) What the Commissioner is doing, or will do, in relation to this area, including any relevant recent decisions taken.
- (2) To request the Working Group to meet once more to agree what performance information and which performance indicators should be included in quarterly performance reports from June 2015 onwards.

### **33 Commissioner's response to the Final Report of the Licensing Task Group**

The Panel received a report by the Commissioner which set out his response to the Licensing Task Group's final report.

During discussion, reference was made to the Task Group's tenth recommendation which stated "Continues to encourage Swindon Borough Council to consider the creation of a Licensing Tasking Group along the lines of the model adopted by Wiltshire Council." The Commissioner had agreed with



this recommendation and considered that it would be helpful if the Swindon members of this Panel were to take on this responsibility.

It was noted that Wiltshire Council had adopted a Licensing Policy Statement in November 2014 and the Chairman suggested that Swindon Borough Council might consider adopting the Wiltshire model. Cllr Andrew Bennett stated that Swindon Borough Council did have a licensing policy but he agreed to arrange for the Swindon policy to be re-examined as he recognised that it would be unhelpful for the Police to work to two different sets of arrangements.

**Resolved**

**To note the contents of the Commissioner's report.**

**34 Task Group Update**

The Panel received an update on the activity of the following task groups:

- Volunteer and Special Constables Task Group – It was noted that the Chairman had submitted a series of questions to the Commissioner requesting updates in certain areas. A response was awaited.
- Regional Collaborations Task Group – Some proposed terms of reference for the Task Group were submitted to the Commissioner for comment on 21 January 2015 and a response was awaited in light of the announced Strategic alliance with the Avon & Somerset Force.

**Resolved:**

**(1) To note the update on task group activity provided.**

**(2) To suspend the work of the Regional Collaborations Task Group pending further information regarding the work that will be undertaken to progress the Strategic Alliance with the Avon & Somerset Constabulary.**

**35 Forward Work Plan**

A document was received showing the Panel's Forward Work Plan.

**Resolved:**

**To note the contents of the Forward Work Plan for this Panel.**

**36 Future meeting dates**

**Resolved:**

- (1) To note that the next meeting of the Panel was due to be held on Thursday 18 June 2015 at the Corn Exchange, Devizes, to start if possible at 2.00pm rather than 2.30pm as currently arranged.**
- (2) To request that in future meetings of this Panel start at 10.30am wherever possible.**
- (3) To note that future meetings of the Panel would be held as follows:**
  - Thursday 3 September 2015 – 10.30am start – City Hall, Salisbury**
  - Wednesday 2 December 2015 – 10.30am start – Swindon Borough Council Offices**

(Duration of meeting: 2.30 - 5.10 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 7180523035, e-mail [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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## POLICE AND CRIME PANEL – RESPONSE TO QUESTIONS

5<sup>th</sup> March 2015

### 1. Can we have a breakdown of the activity areas of the 6945 volunteers - eg farm, speed watch etc

5,522 people have signed up to Community Messaging, of which 2,527 have been moved over from the Neighbourhood Watch database. At this moment in time no other watch schemes (eg. Farm Watch, Horse Watch) are listed on Community Messaging although the intention is that they will be at an appropriate time in the future.

The remaining volunteers are those estimated to be involved in other Force activities such as Community Speed Watch, Farm Watch, and Horse Watch or assist the Force on a regular basis (such as Street Pastors). The Panel will be aware through the report of the Volunteers Task Group that a Volunteers Co-ordinator has been appointed. Work is currently being undertaken to define those roles to be classed as volunteers and then to identify the number of volunteers active in those roles. A more detailed breakdown will be available in the future.

### 2. Para 61: How does the percentage of specials compare to our MSF's?

The Home Office requests annual returns from all Forces on the number of Special Constables in March / April each year. The most up to date information currently available is from March 2014 (new figures will be available at the end of March 2015). The table below details proportion of Specials compared to Regular officers across Wiltshire's most similar forces.

Force	Specials	Regulars	Proportion of Specials
Wiltshire	182	1020	17.8%
Devon and Cornwall	627	3096	20.2%
Suffolk	233	1226	19%
Cheshire	363	1925	18.9%
North Wales	126	1464	8.6%
West Mercia	313	1966	15.9%
Norfolk	240	1582	15.2%
Warwickshire	280	802	34.9%

### 3. Para 13: Good to see these positive results from HMIC. Were there any findings by HMIC that surprised or concerned the commissioner and has he asked for any improvements / changes to be taken as a result?

The findings of the report were as anticipated and identified areas for improvement will continue to be monitored through the Force Strategic Improvement Board of which the Commissioner is a member.

**4. Para 41: Does the commissioner see a 2% drop (and the overall direction of travel) of "confidence in the police" and their being "relied upon to deal with crime / ASB" as significant?**

A significant change is defined as when there is a gap between the confidence intervals. By this definition, the changes within the survey results are not considered to be significant at this point. The results continue to be monitored and analysed and have been made available at a local level through the Constabulary's new Hub Policing Product.

**5. Para 46: Good to see pan-Wilts multi agency youth engagement strategy – does this involve housing?**

Currently the strategy is only between the Force and the two local authorities. Housing has not yet been approached as the strategy is more about front line interventions. Housing and other partners may follow in time.

**6. Para 76: If recording of rape has been an issue does the commissioner have any concerns about what has this meant for how rape victims have been treated?**

There is a concern that for some time we have not been treating victims of rape in accordance to their needs. This is evident through the IPCC investigation into allegations of rape from a few years ago. The Force has now improved its recording process for rape through a change in its performance culture, national trends and messages, and local training and analysis. These changes are likely to lead to an increase in number of rapes recorded. This will lead to more rape victims being identified and receiving the appropriate support.

**7. Also we do seem to have a high level of rape cases compared to other MSF's – does the commissioner have any knowledge as to why this would be? And is there any strategic action / prevention activity being taken or planned in response to this?**

Wiltshire is in-line with its MSF (see para 77) and moving in the same trend. Wiltshire is doing a lot of work around training staff in the recording of this type of offence and so increases in number of rape cases are expected to be seen.

**8. Para 84: Good to see such strong satisfaction from victims with how the police have handled their case. Are there any particular groups who are less satisfied? eg. by ethnicity or crime type**

Satisfaction with investigation and overall experience is showing similar trends across the crime groups surveyed (Vehicle Crime, Burglary, Violence and Racist incidents). Burglary satisfaction always returns higher satisfaction rates due to the Force's stance on this type of crime (both police and CID will almost always attend due to the impact the crime has on the victim), and the successful position for crime volume. Vehicle and Violent crime are very similar in proportion of satisfied victims.

Conclusions cannot be drawn on the satisfaction levels of particular ethnicity groups due to the low numbers of people from different backgrounds involved; 87% of victims are defined as 'white' ethnicity.

Within the 'racist' crime type, approximately 30 victims are surveyed each month. Of those surveyed in the last quarter (October – December); 6 victims were dissatisfied – 5 of whom were defined as 'white'. The comments about dissatisfaction mainly relate to a lack of empathy or care from Police Officers.

9. **Para 118: Can you explain how the 17% is calculated? I don't understand what 132 out of 745 "allegations" means – I had thought it meant that 17% of complaints made to the police were about impoliteness etc. is that not right?**  
One single complaint can contain more than one allegation. Out of 745 allegations, 132 of these have related to a lack of incivility, impoliteness or intolerance. This equates to 17.7% against the 17% which IPCC recommend.

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## **WILTSHIRE POLICE AND CRIME PANEL**

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**DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING  
HELD ON 11 MAY 2015 AT WEST WILTS ROOM, COUNTY HALL, BYTHESEA  
ROAD, TROWBRIDGE, BA14 8JN.**

**Present:**

Cllr Richard Britton (Chairman), Cllr Andrew Bennett, Chris Henwood and Cllr Charles Howard

**Also Present:**

Mike Veale – Deputy Chief Constable, Wiltshire Police  
Emily Higson – Corporate Business Manager  
Kevin Fielding – Democratic Services Officer

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**1 Apologies for Absence**

Apologies were received from Cllr Glenis Ansell, Cllr Chris Caswill and Cllr Peter Hutton – Wiltshire Council and Cllr Oliver Donachie – Swindon Borough Council.

**2 Declarations of interest**

Councillor Richard Britton declared a non-pecuniary interest as he had been a member of the selection panel when the Police Authority had interviewed Mike Veale for the post of Deputy Chief Constable – Wiltshire Police.

**3 Chairman's Announcements**

The Chairman advised that:

- That the draft Police & Crime Plan 2015/17 had now been released and would be circulated to all panel members in due course.
- That Angus Macpherson and Kieran Kilgallen would be in attendance for the panel's questions to Mike Veale, they would however take no part in the process.

#### **4 Public Participation**

There were no questions from members of the public.

#### **5 Selection Process**

A copy of a report prepared by Geoff Pears – Independent member of the Selection Panel had been circulated to all Wiltshire Police & Crime Panel members. Pre-meeting notes and summary of the meeting held with Geoff Pears which Cllr Richard Britton, Cllr Peter Hutton and Chris Henwood had attended on Friday 8 May 2015 were also circulated.

#### **6 Review the proposed appointment**

The panel were given the opportunity to question Mr Veale on a range of topics.

The Chairman made the point that the Confirmation Hearing panel members were not being asked to re-run the selection panel interview, but to reassure themselves that the selection process had been robust and that the applicant's suitability and competency for the role had been adequately proven by the Selection Panel, and that the PCP could properly endorse the Selection panel's recommendation that Mr Veale should be appointed Chief Constable of Wiltshire Police.

#### **7 Exclusion of the Press and Public**

The Police & Crime Commissioner and members of the OPCC in attendance were asked to leave the room so that the panel could deliberate its decision.

#### **8 Decision**

At the Confirmation Hearing Mr Veale satisfied the panel with his responses to a wide range of questions put to him by the panel members.

The panel were pleased to endorse the Selection Panel's recommendation that Mr Veale be appointed Chief Constable of Wiltshire Police.



(Duration of meeting: 10.30 - 11.35 am)

The Officer who has produced these minutes is Kevin Fielding of Democratic Services, direct line 01249 706612, e-mail [kevin.fielding@wiltshire.gov.uk](mailto:kevin.fielding@wiltshire.gov.uk)

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## **WILTSHIRE POLICE AND CRIME PANEL**

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### **DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 18 JUNE 2015 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.**

#### **Present:**

Cllr Abdul Amin, Cllr Glenis Ansell, Cllr Andrew Bennett, Cllr Alan Bishop,  
Cllr Richard Britton (Chairman), Cllr Trevor Carbin, Cllr Chris Caswill, Cindy Creasy,  
Cllr Charles Howard, Cllr Peter Hutton Cllr Julian Johnson and Cllr Teresa Page

#### **Also Present:**

Angus Macpherson – Police & Crime Commissioner  
Kieran Kilgallen – OPPC  
Chris McMullen – OPCC  
Prof Allan Johns – OPCC  
Carolyn Filmore – OPCC  
Naji Darwish - OPCC  
Emily Higson – Wiltshire Council  
Henry Powell – Wiltshire Council  
Kevin Fielding – Wiltshire Council

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#### **1 Appointment of Chairman and Vice-Chairman**

Cllr Richard Britton was elected Chairman for the forthcoming year.

Cllr Andrew Bennett was elected Vice Chairman for the forthcoming year.

#### **2 Apologies for Absence**

Apologies were received from Chris Henwood – Co-opted Independent member.

### **3 Minutes and matters arising**

#### **Decision:**

- **The minutes of the meeting held on Thursday 5<sup>th</sup> March 2015 were agreed as a correct record and signed by the Chairman.**

### **4 Declarations of interest**

Councillor Trevor Carbin declared none pecuniary interests in matters relating to Customer Vision, Community Speedwatch and Licensing.

### **5 Chairman's Announcements**

- Cllr Alan Bishop – Swindon Borough Council and Cllr Teresa Page – Swindon Borough Council were welcomed to the Panel.
- That Mike Veale had been appointed as the new Chief Constable for Wiltshire following the Panel's confirmatory hearing on 11<sup>th</sup> May. He would start in post on the 1<sup>st</sup> July 2015. The Panel were advised by the OPCC that the outgoing Chief Constable Pat Geenty was currently on a month's leave before retiring from the service.

### **6 Public Participation**

There was no public participation.

### **7 Annual Report 2014 - 15**

Kieran Kilgallen – Chief Executive, OPCC introduced the PCC's annual performance report for the year 2014-15. The PCP was asked to note the draft annual report and to provide comments on the annual report.

The Panel welcomed the fact that OPCC had previously circulated the report to Panel members with an invitation to submit comments – which some members had already done.

The annual report was aimed for public audience and captured the highlights of the year and the commissioner's assessment of progress against his plan.

The annual report was structured around the original Police and Crime Plan six priorities.

Questions raised by the PCP included:

- Had the PCC now abandoned having 300 special constables as part of his plan?  
*a.A review was being undertaken and that there would be a report to SCT (Senior Command Team) and CMB (Commissioner's Monitoring Board) in September. An update to the Panel would then follow. 300 was a provisional number only. Superintendent Bateman was developing a strategy for their future use and there was a need to move away from Specials who wanted to have a career in policing to those that just wanted to volunteer within the community. This was a national problem – it took time to recruit people who then lost interest before training was complete and so it was difficult to achieve numerical targets.*
- How is the operational plan affected by not having the 300 special constables?  
*a.The Plan was not compromised as Specials were an additional support only.*
- How is the training of police cadets working out?  
*a.Wiltshire Police was looking to start training based in the south of the county, at present the police cadet programme was two years into a three/four year programme.*
- You have to work hard to find any negatives within the annual report.  
*a.There was no place for blame in partnership working, people need to be challenged rather than blamed.*
- There appears to be no mention of the Neighbourhood policing teams in the report.  
*a.This was an omission, which was noted.*
- Not a great deal of mention of the strategic alliance, surely this needs to be expanded on.  
*a.Noticed.*

The Chairman thanked the OPPC for the report.

## 8 **Quarterly Data (Q4) - Risk/Performance/Finance/Complaints**

The Commissioner presented a report setting out his quarterly performance data for the fourth quarter of 2015.

The Commissioner advised that a joint working group had been developing a new format of performance report reflecting the outcome of the performance culture review. The new report would be used in the assessment of the first quarter of 2015-16, which would be reported to the Panel in September 2015. The structure of the report would be in three parts:

- Dashboard of high level measures with context to support trends
- Deep-dive into a priority to discuss specific details and progress
- Any areas which the PCC wishes to highlight (points of excellence, poor results, press interest, concern, significant risks etc)

Points made by the PCP included:

#### **People feeling safe during the day/night**

“The percentage of people feeling safe during the day has remained very high throughout the year, rising close to 95 per cent. This is encouraging to see and reflects the low rate of crime which takes place in Wiltshire”. However, the fact that fewer people report feeling safe at night may be exacerbated by Wiltshire Council’s new policy of switching off some street lighting.

*a. Yes, this would make some people feel less comfortable at night*

#### **Licensing Activity**

“The licensing task group continues to jointly assess problematic premises and develop joint tasking and actions to tackle these locations. The three hub-based licensing officers are embedded into the partnership tasking process and increased information is now being shared through this” – when would the licensing team be back up to full strength?

*a. We are looking to get the licensing team back up to full strength after losing a key member of the team.*

#### **Unlocking the resources to deliver**

“My wish to see police officers maximising their engagement with the public can be measured through the findings of the public opinion survey I commission. The survey takes place twice a year in spring and autumn and in total surveys over 4,000 members of the public” - when would the Spring 2015 results be available to the Panel?

*a. These results would be available at the next PCP meeting.*

#### **Resolved:**

- **To receive and note the contents of the Commissioner’s report setting out his quarterly performance data for the fourth quarter of 2015.**

The Chairman thanked the OPPC for the report.

## **9 Revised Police and Crime Plan 2015 - 17**

The Commissioner introduced the Revised Police and Crime Plan 2015 – 17 and thanked the many stakeholders who had taken the time to comment on the

plan. Stakeholders would have until the end of June 2015 to make further comments.

Questions from the PCP:

Would the PCC be involving other stakeholders, such as young people and ethnic groups etc?

*a. Yes, the plan was very much in its early draft form, with more groups and organisations having the opportunity to comment on it.*

The Chairman thanked the Commissioner for the plan and looked forward to the viewing the final version and Panel discussions at a future PCP meeting.

## 10 Report from Task Groups

### i. Police Performance Review Working Group

Henry Powell – Senior Scrutiny Officer, Wiltshire gave a brief overview of the report that was contained in the agenda pack.

#### **Decision**

- **The reported was noted.**

### ii. Strategic Alliance Task Group

The Commissioner gave a brief overview of the report that was contained in the agenda pack.

#### **Decision**

- **That a task group was formed to support the delivery of the strategic alliance between the Wiltshire and Avon & Somerset constabularies.**
- **That the task group would decide how to report back to the Wiltshire Police and Crime Panel.**
- **That the task group would be made up of Cllr Julian Johnson, Chris Henwood and Glenis Ansell. The task group would be supported by Kieran Kilgallen – Chief Executive, OPPC.**

The Chairman thanked Henry Powell and the Commissioner for their report overviews.

## 11 Commissioner's diary

The PCC Diary report which set out a summary of commitments the Commissioner had undertaken since the last Police and Crime Panel meeting on 5 March 2015 was presented to the Panel.

Questions raised by the PCP included:

- What was the current position re the sale of Chippenham Police Station?  
*a.A potential buyer was interested in buying the site, with a view to building social housing on it. Nothing had been signed as yet.*
- When would Wiltshire Police be resuming the speed awareness courses?  
*a.The PCP would receive an update on this at the next meeting.*

The Chairman thanked the Commissioner for his update.

## 12 Response to questions raised by Volunteer Task Group - Information only

### Decision

- The report was noted.

## 13 Forward Work Plan

The Forward Work Plan was noted.

## 14 Future meeting dates

The next meeting of the Police and Crime Panel will be on Thursday 3rd September 2015 at City Hall, Salisbury.

Future meeting dates were:

Wednesday 2 December 2015 at Swindon Borough Council.

(Duration of meeting: 2.30 - 5.00 pm)



The Officer who has produced these minutes is Kevin Fielding, of Democratic Services, direct line 01249 706612, e-mail [kevin.fielding@wiltshire.gov.uk](mailto:kevin.fielding@wiltshire.gov.uk)

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# WILTSHIRE & SWINDON FIRE AUTHORITY

## MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY held at the WILTSHIRE FRS TRAINING & DEVELOPMENT CENTRE, DEVIZES on THURSDAY 11 JUNE 2015

**Present :** Cllrs C Devine, G Perkins, E Clark, P Edge, Cllr Mrs Groom, R Jones MBE, J Knight, G Payne, C Newbury, E Shaw, J Tray and B Wayman.

### 1 Election of the Chairman for the Ensuing Year.

Cllr Chris Devine was elected Chairman for the ensuing year.

### 2 Election of Vice Chairman.

Cllr Garry Perkins was elected Vice-Chairman for the ensuing year.

### 3 Membership.

The Clerk reported that Wiltshire Council had nominated the following councillors to be members of the Wiltshire & Swindon Fire Authority: Cllr C Devine, E Clark, P Edge, Mrs Groom, R Jones MBE, J Knight, G Payne, C Newbury and B Wayman. Swindon Borough Council had nominated Councillors G Perkins, N Martin, J Tray and E Shaw.

### 4 Minutes of the Last Meeting.

The Minutes of the Meeting of 12 February 2015 were signed as correct.

### 5 Apologies

Apologies were received from Cllr N Martin.

### 6 Declarations of Urgent Business

- Clerk
- FRS and PCC
- Recycling plant survey.

### 7 Members' Interests.

Cllr Tray declared that he was in receipt of a Firefighters' pension.

### 8 Chairman's Announcements.

- The Chairman thanked Cllr Andrew Bennett for his service on the CFA.
- The medals evening at Potterne had been a great success; it had been very enjoyable and well supported. All recipients of awards were to be congratulated.
- The Chairman reported that he had also attended the Dorset FRS's medals' evening at Lulworth Castle and had thoroughly enjoyed the event.
- The first meeting of the Shadow Authority would take place on 23 June 2015.
- The Clerk had tendered her resignation and would be leaving at the end of July. She was thanked for all her hardwork.
- The Chairman reported that he had attended the Local Government Association Fire Conference in Newcastle in March and had found it very informative.
- The Chairman thanked the members for all their hard work in the formation of the new Authority.

### 9 Questions from the Public

There were no questions from the public.

Signature.....

**NOT PROTECTIVELY MARKED**  
**WILTSHIRE & SWINDON FIRE AUTHORITY**

**10 Serve On**

The meeting watched with interest a presentation by Dan Cooke on the charity Serve On and its work in Nepal following the recent earthquake.

**11 Membership of Committees and Representations on Other Bodies**

- a. Cllr Newbury reported that he was working on the issue of substitutes for committees but suggested that the Authority continue with the current arrangements for the time being.
- b. It was agreed to increase membership of the staffing committee from 3 to 4 members but to continue without the requirement for political proportionality.
- c. The membership of committees is appended to these minutes.

**12 Minutes of the Ethics Committee**

The Minutes of the Ethics Committee Meeting held on 12 March 2015 were received.

**13 Minutes of the Programme & Scrutiny Board Meeting**

The Minutes of the Ethics Committee meeting held on 14 May 2015 were received. Cllr Jones MBE highlighted that the issue with Microsoft licensing was due to a change at Microsoft and not due to officer error. Cllr Wayman reported that the boating community had been tweeting positively about the recent safety campaign.

**14 Minutes of the Finance Review and Audit Committee.**

The Minutes of the Finance Review & Audit Committee meeting held on 17 March 2015 were received.

**15 Contract Extensions**

The meeting received a paper on contract extensions

**RESOLVED**

- a. *To grant an extension to the 365itms contract up until 31 August 2016*
- b. *To allow the Chief Fire Officer, in consultation with the Chairman (or Vice-Chairman if not available) and the Chairman of the Finance Review and Audit Committee to approve contract extensions that would otherwise have required approval of the CFA.*

**16. Protection, Prevention & Intervention**

The members watched a short visual presentation with interest.

**17 Staffing Committee Minutes**

The Authority received the minutes of the Staffing Committee meeting held on 9 March 2015. The Chairman clarified that the one staff member of the Pensions Board would be nominated by the FBU and the other would be from the wider workforce.

**18 Joint Committee Minutes**

The Authority received the minutes of the Joint Committee meetings of 19 March, 30 April and 4 June. It was agreed to discuss the confidential sections in Part II of the meeting. The Authority discussed the Draft Code of Conduct at the meeting of 4 June 2015. It was noted that the Joint Committee had preferred the 2005 approach but the Monitoring Officer was asked to circulate both authorities' code prior to the first meeting of the Shadow Authority.

Signature.....

**NOT PROTECTIVELY MARKED**  
**WILTSHIRE & SWINDON FIRE AUTHORITY**

**19 Update on Combination**

The CFO presented a paper updating the meeting on the Combination. He highlighted the considerable amount of work that officers were doing as the organisation moved towards the new Authority.

**20 Networked Fire Control Services Partnership and Joint Command & Control Centre**

The DCFO updated the meeting on the NFCSP and the JCCC. He reported that Wiltshire was still on target to go live on 1 July 2015 but that staff were working under pressure to deliver on that date. He also reminded the meeting that DFRS control was due to move over to Wiltshire on 26 August 2015.

**21 Dates of Future Meetings 2015**

The Clerk presented the future meeting dates for 2015/16. It was noted that there were now some diary clashes and also that the Shadow Executive would now be renamed the Policy & Resources Committee. It was requested that an Ethics Committee meeting be convened for early September. A table showing future meeting dates is appended to these minutes.

**22 Members' Allowances**

The meeting received a paper on Members' Allowances and accepted the Treasurer's Recommendation to pay a lump sum equivalent to 1% of the basic allowances and Special Responsibility Allowances for CFA Members and to increase by allowances by 2.2% with effect from 1 Jan 2015.

**RESOLVED**

- a. *That the Scheme of Allowances be amended by deleting the words "Adjustment of the allowance shall take effect from the beginning of the financial year" in paragraph 12*
- b. *That the Clerk consult with the Constituent Authorities IRPs about introducing a Special Responsibility Allowance of £1775pa, in line with DFA, for those who sat on the COB/Joint Committee.*

Cllr Tray and Cllr Wayman abstained from the vote on the SRA.

**23. Any Other Business**

- a. Clerk. It was agreed to ask Mr Strickland to return as temporary clerk for the period 1 Aug 15 – 31 Mar 16. It was also agreed to look into the possibility of a secondment from SBC or WC. In the event that Mr Strickland was not available, the Urgency Committee would be convened.
- b. PCC and the FRS. There was a short discussion on the future of FRSs.

**RESOLVED:**

*That this Authority does not support the merger of the police service and Fire and Rescue Service under the Police and Crime Commissioner.*

- c. Survey of Recycling Plants. The CFO reported that the survey into household recycling plants had been delayed by the Averies Inquiry and that a draft would be presented to the September meeting of the CFA.

Signature.....

**NOT PROTECTIVELY MARKED**  
**WILTSHIRE & SWINDON FIRE AUTHORITY**

**24. Date of Next Meeting**

The date of the next meeting was confirmed as 24 September 2015.

**25 Exclusion of the Public**

**RESOLVED:**

*In accordance with Section 100A(4) of the Local Government Act 1972, to exclude the public for the business specified in minute no. 5 below because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1,3 & 4 of Part I of Schedule 12A to the Act.*

**26 Minutes of the Joint Committee Meeting dated 4 June 2015**

The confidential aspects of the Joint Committee Meeting Minutes were discussed.

**(Meeting Closed 12:40)**

**Appendices:**

1. Membership of Committees and Representations on Other Bodies
2. Dates of Future Meetings.

Signature.....

**WILTSHIRE AND SWINDON FIRE AUTHORITY**  
**MEMBERSHIP OF COMMITTEES AND REPRESENTATIVES ON OTHER BODIES**  
**2015/16**

<b>Committee/body</b>	<b>No of places</b>	<b>Allocation of places where rules on political proportionality apply</b>	<b>Member(s)</b>	<b>Substitutes (where permitted)</b>
Finance Review & Audit Cmtee	5	Conservative – 3 Liberal Democrat – 1 Other -1	Councillor B Wayman Councillor N Martin Councillor G Perkins Councillor R Jones MBE Councillor J Tray	Cllr Shaw for Con SBC Cllr Payne for Con WC Cllr Edge
Urgency Committee	5	Conservative – 3 Liberal Democrat – 1 Other -1	Councillor E Shaw Councillor G Payne Councillor P Edge Councillor E Clark Councillor C Newbury	All members of the CFA can substitute for each other (like party for like party, except ungrouped members who can substitute for each other)
Ethics Committee	5	Conservative – 3 Liberal Democrat – 1 Other -1	Councillor Mrs M Groom Councillor N Martin Councillor P Edge Councillor E Clark Councillor C Newbury	Cllr Perkins for Con SBC Cllr Knight for Con WC Bob Jones MBE
Staffing Committee	4	n/a	Councillor Mrs B Wayman Councillor N Martin Councillor J Knight Councillor R Jones MBE	Cllr Shaw for Con SBC Cllr Newbury for Con Wilts
Programme & Scrutiny Board	4	n/a	Councillor E Clarke Councillor Jones MBE Councillor C Devine Councillor G Perkins	n/a

Local Government Association (LGA) General Assembly	4	n/a	Councillor P Edge Councillor C Devine Councillor G Perkins Councillor C Newbury	None
LGA Fire Commission	1	n/a	Councillor C Devine	Councillor G Perkins
South West Councils (SWC)	1	n/a	Councillor C Devine	Councillor G Perkins
SWC Employers' Panel	1	n/a	Councillor N Martin	Councillor P Edge
Wiltshire Assembly	1	n/a	Councillor J Knight	Councillor C Newbury
Wiltshire Public Service Board	1	n/a	Councillor C Devine	Councillor C Newbury

### Programme & Scrutiny Board / Workstreams

<u>Workstream</u>	<u>Lead</u>	<u>Other Members</u>	<b>Appeal Committee pool</b>		
People & Development	Cllr B Wayman	Cllr R Jones MBE Cllr E Shaw	Cllr G Perkins Cllr J Knight Cllr P Edge	Cllr C Newbury Cllr G Payne Cllr J Tray	
Service Delivery	Cllr Mrs M Groom	Cllr P Edge	Cllr J Knight		
Governance & Assurance	Cllr N Martin	Cllr P Edge	Cllr E Clark		
<u>Member Champions</u>					
Equality & Diversity	Cllr R Jones MBE				
Climate Change/Carbon	Cllr Mrs M Groom				
Data	Cllr N Martin				





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FIRE AUTHORITY MEETING MATRIX 2015/16

	MEETING	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Workstreams	Governance & Assurance (2pm)		23				3				
	People & Development (2pm)		16				5				
	Op Delivery (2pm)		15				tbc 4				
	Prog & Scrutiny Board (10am)				3		19		28		
Formal Committees	Finance Review & Audit (2pm)	30			15			8			17
	Ethics				tbc	22					10
	Staffing					13			21		3
	Urgency (as required)										
	CFA (10.30am at TDC)				24			10			31
	Joint Committee/Policy & Resources Committee		22 10-12 Salisbury City Hall		17 2-4 Milford Hall		5 10-12 Salisbury City Hall				
	Shadow Authority	23 10-2 Milford Hall				23 10-1 Milford Hall			14 10-1 TBC	12 10-1 (Budget Seminar)	

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**DORSET**  
Fire & Rescue  
Service



**WILTSHIRE**  
Fire & Rescue  
Service

*Working together to make our communities safer*

### Minutes of the

**Inaugural meeting of the Shadow Dorset and Wiltshire Fire and Rescue Authority  
held at 1000 hours on 23 June 2015 at the Milton Hall Hotel, Salisbury**

Members present: Mr Abdul Amin, Mr Mark Anderson, Mr Les Burden, Mr Mike Byatt, Mr Ronald Coatsworth, Mr Malcolm Davies, Mr Christopher Devine, Mrs Beverley Dunlop, Mr Phil Eades, Mr Peter Edge, Mr Spencer Flower, Mrs Mollie Groom, Mr John Haines, Mr Colin Jamieson, Mrs Susan Jefferies, Mr Bob Jones, Mr Trevor Jones, Mr John Knight, Mrs Rebecca Knox, Mr Graham Payne, Mr Garry Perkins, Mr Christopher Rochester, Mr Ricky Rogers, Mrs Ann Stribley, Mr Joe Tray, Mrs Bridget Wayman, Mr John Wilson.

Officer attendance: Darran Gunter (Chief Fire Officer - Designate), DCFO John Aldridge, Mr Phil Chow, Ms Lindsay Gowland, Mr Derek James, Ms Jenny Long, Mr Jonathan Mair, CFO Simon Routh-Jones, Mrs Vikki Shearing, Mr Stephen Taylor, Ms Jill McCrae, Mrs Barbara Owen.

## **1. Election of Chairman and Vice-Chairman**

- 1.1 Mr Jonathan Mair opened the meeting and sought the election of a Chairman.
- 1.2 **Resolved (unanimously):**
  - 1.2.1 **That Mr Christopher Devine and Mrs Rebecca Knox should share the Chairmanship and Vice-Chairmanship for the remainder of the shadow period until 1 April 2016, with Mrs Christopher Devine as Chairman until 1 October 2015 and Mrs Rebecca Knox as Chairman until 1 April 2016**
  - 1.2.2 **That the Chairmanship and Vice-Chairmanship of the Shadow Policy and Resources Committee be shared in accordance with minute 1.2.1.**

## **2. Apologies**

- 2.1 Apologies were received from Mr Christopher Newbury, Mr Colin Lovell and Mr Ernie Clarke.

## **3. Code of Conduct and Declaration of Interest**

- 3.1 There were no disclosures of pecuniary interests under the Localism Act.

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#### **4. Terms of Reference for the Shadow Authority**

- 4.1 Mr Jonathan Mair introduced himself as Clerk to the Dorset Fire Authority and as Monitoring Officer (Designate) for the Shadow Authority. The Monitoring Officer introduced the Combination Order and Scheme agreed by Parliament in March 2015. He explained that in accordance with the Order and Scheme the terms of reference of the Shadow Authority were, as set out in the Schedule to the Combination Order Part 1, paragraph 1, to take all such steps as are necessary to bring the Combination into full operation on 1 April 2016.

#### **5. Adoption of Proposed Standing Orders**

- 5.1 The Monitoring Officer presented the proposed Standing Orders of the Authority and recommended their adoption.
- 5.2 He explained that the proposal was based on a detailed piece of work combining the best of each Authority's existing standing orders. He advised of a correction required for page 47, paragraph 51.2 which should refer to five constituent authorities going forward, not three as indicated in his paper.
- 5.3 Mrs Bridget Wayman advised that page 19 paragraph 59.1 should read Monitoring Officer.
- 5.4 Mr Colin Jamieson referred to Appendix 1 item 3 and the need to provide for the appointment of co-opted Members. He noted that there are none at present but potential provision for the future should be made. The Monitoring Officer clarified that this is a living document and subject to change where needed.
- 5.5 The Vice-Chairman suggested the opportunity should be taken to insert May/June to page 47, paragraph 51.2. This would avoid a situation where there could be a period of no formally nominated Fire Authority Members following local elections.
- 5.6 **Resolved: The adoption of the proposed Standing Orders be approved.**
- 5.7 **Action: The Monitoring Officer to make changes to the Standing Orders as agreed.**

#### **6. Adoption of Member Code of Conduct**

- 6.1 The Chairman introduced the proposed Member Code of Conduct item and informed Members that a preference had been indicated at the last Joint Committee in favour of the Dorset approach.
- 6.2 Mr Stephen Taylor continued to present the paper and advised that on balance of the two existing codes, Dorset's code provided more detail around expected behaviours and in particular behaviours between Members and officers. He reminded Members that it was a living document which may need reviewing in a year.

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- 6.3 There was debate around the suitability of each Authority's existing model, many preferring Wiltshire's lighter and less prescriptive approach, but concern that there was no mention of 'respect'. Some preferred Dorset's approach as it was thought to provide the public with more reassurance and was less ambiguous. Recognising the importance of this, it was agreed that respect could be included in the Wiltshire model in paragraph 1. It was also agreed that, irrespective of which model was adopted, further work needed to be done to align the Member code and new Service values.

- 6.4 **Resolved: That the Wiltshire approach be adopted, amended to include reference to respect.**

## **7. Member/Officer Protocol**

- 7.1 The Chairman introduced the proposed Member/Officer Protocol which Mr Stephen Taylor presented. He advised that the Joint Committee considered the protocol at its recent meeting and were in support of the recommendations.
- 7.2 The Vice-Chairman emphasised the importance of having regard to behaviours and language used in formal meetings. She proposed that the document is reviewed when the Full Authority is in place after the 1 April 2016. Mr Bob Jones seconded this proposal.
- 7.3 **Resolved: All agreed to adopt the Member/Officer protocol.**

## **8. Terms of Reference for Shadow Policy and Resources Committee**

- 8.1 The Chairman provided a background to the Committee, from the original Combination Oversight Board through to the current Joint Committee. He explained that at the last meeting of the Joint Committee consideration was given to the emerging initial governance arrangements and explained how a Policy and Resources Committee (P&R Committee) could replace the Shadow Joint Committee.
- 8.2 The Monitoring Officer presented the terms of reference, reminding Members that the P&R Committee needed to be in place between now and 1 April 2016 to oversee on a more frequent basis than the full Shadow Authority could and bring into effect all necessary arrangements to establish the Dorset and Wiltshire Fire and Rescue Authority. He advised a correction in item 4, paragraph 4. The reference to two existing authorities needs to be removed to be replaced with Shadow P&R Committee. Also, an addition to the terms of reference: To receive, for noting purposes only, reports on audit outturns of the Dorset Fire Authority and the Wiltshire and Swindon Fire Authority to support preparations for establishing the Authority in 1 April 2016. There was a discussion around the management and audit arrangements.
- 8.3 Mr Bob Jones sought clarity around the process of closing respective the accounts for 2014/15. Mr Mike Byatt added that it is important to make clear the distinction in the interim

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period to receive and not monitor so that this does not distract or confuse the responsibilities of the two existing Authorities. Mr Phil Chow clarified that the separate Authorities would continue to receive their audit letters. The Chief Fire Officer (Designate) advised Members that they can be assured that there is no circumventing or removal of governance responsibilities. The Shadow P&R will receive the reports to air these in the spirit of good governance. The Monitoring Officer suggested he include additional wording to make it clear that this is for 2014/15 position only, and that the Shadow P&R Committee are merely being sighted on respective audit reports.

- 8.4 **Action: The Monitoring Officer to amend the Terms of Reference to reflect the position for audit responsibilities to be for 2014/15 only.**
- 8.5 Members then debated the use of 'monitor' and 'manage' within the proposed terms of reference, in particular with reference to branding. The Chief Fire Officer (Designate) confirmed that the final decision for branding was needed in July as there were a number of tight timelines that needed to be adhered to. It was noted that, although the branding options could be approved in July by the Shadow P&R Committee, the paper could be circulated by email to all Members of the Shadow Authority to give all Members an opportunity to identify issues to be considered by the P&R Committee. The Chief Fire Officer (Designate) then indicated that a commitment also needed to be made within the next 4-6 weeks associated with the Strategic Hub.
- 8.6 The Chief Fire Officer (Designate) reminded Members that papers for the Shadow P&R Committee are in the public domain and are made available publically available within statutory notice periods. He confirmed that papers would be emailed to all Members before the meeting.
- 8.7 Mr Mike Byatt questioned use of the word 'monitor' in the recommended terms of reference and added that Members need to feel confident and assured around their role and governance suggesting that Members do not 'manage', but 'determine'. Other Members agreed with this position. They should delegate to the P&R Committee with the need where appropriate to engage with all Members through electronically circulated papers where any concerns could be raised at the Shadow P&R Committee. Mr Mike Byatt proposed changing 'manage' to 'determine' and to delegate to the Shadow P&R Committee.
- 8.8 Mr Philip Eades expressed dissatisfaction with the existing size of the Shadow Authority. He also feared that the governance arrangements, with the bulk of members not part of the Shadow P&R Committee, would result in two tiers of Members. He believed it would be building in bureaucracy and was concerned over the efficiency and transparency of the future governance arrangements if the size of the Authority is not reconsidered. Mrs Beverley Dunlop also expressed concern about governance arrangements as she wanted to be certain that there was proper scrutiny of these functions and that they are valuable and useful.

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- 8.9 The Chairman advised that there was an agreed review of governance arrangements planned for 2017 which would include a review of the number of Members. The Vice-Chairman suggested that the October seminar is amended to include a full meeting of the Shadow Authority to strengthen the wider engagement of elected Members.
- 8.10 Members then voted on a number of issues, whilst agreeing to maintain the size of the Authority until the planning governance review. Mr Philip Eades asked that his disagreement be recorded over the size of the new Authority and the current review timetable.
- 8.11 **Resolved:**
- 8.11.1 **That the terms of reference of a Shadow P&R Committee be agreed, as amended with:**
- a. The word 'monitor' to be replaced by 'determine'.
  - b. The references to the Dorset Fire Authority and the Wiltshire and Swindon Authority in paragraph 4 be removed.
  - c. An additional term of reference being added 'to receive, for noting purposes only, reports on audit outturns of the Dorset Fire Authority and the Wiltshire and Swindon Fire Authority'.
- 8.11.2 **That an additional meeting of the Shadow Authority take place in October.**
- 8.11.3 **That papers be circulated by email for comment to all members prior to meetings of the Shadow P&R Committee.**

## 9. Adoption of Finance, Procurement and Contract Regulations

- 9.1 Mr Phil Chow introduced himself as Treasurer to the Wiltshire and Swindon Fire Authority and presented the proposed Finance, Procurement and Contract Regulations. He confirmed that it had been developed in line with the CIPFA model and in compliance with common standards and practice, using a combination of both Authority's existing regulations. Mr Phil Chow confirmed that there will be provision for flexibility where needed in financial thresholds in relation to the need to obtain six tenders and this will be included in the procedural framework.
- 9.2 **Resolved: All Members accepted the recommendations to adopt the Finance, Procurement and Contract Regulations.**

## 10. Member Allowances

- 10.1 The Chairman introduced the options paper relating to Member Allowances. Following queries from Members, the Monitoring Officer indicated that four of the Shadow Authority Members are not currently Members of the Dorset Fire Authority or the Wiltshire and

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Swindon Combined Fire Authority and would therefore not be drawing an allowance from either Authority. He clarified that a decision was required for the interim position of the Shadow Authority up until the 1 April 2016.

- 10.2 Members were advised of the need to have in place a Members' Allowance Scheme. The Monitoring Officer indicated that ordinarily in their constituent councils Members would receive definite recommendations from their independent remuneration panels on the amount of the basic allowance, any special responsibility allowances and arrangements for reimbursement of travel. In the current arrangement, the Shadow Authority had no independent panel of its own and so instead views had been sought from members of the five independent panels. This had resulted in a range of views rather than a definite recommendation. For the basic allowance recommendations from the panel members ranged from £3,000 through to £1,500.
- 10.3 Mrs Ann Stribley commented that a basic allowance of £3,000 would be £400 pa more than that paid to current Members of the Wiltshire and Swindon Combined Fire Authority.
- 10.4 Mrs Beverley Dunlop stated that she felt that for those coming from an Authority where an allowance is paid, much of the work in the current Fire Authority should reduce and there should not be a situation where potentially three lots of allowance are being drawn. She commented that setting an amount for all would not work because of the anomalies that exist.
- 10.5 The Monitoring Officer explained that it was not open to the Authority to pay differential amounts of basic allowance. He also reminded Members that individually it was open to any Member to elect not to draw an allowance to which he or she was entitled.
- 10.6 Mr Graham Payne supported this approach. He felt that the principle of Members being able to access a basic allowance should be enshrined at this meeting and it should be up to an individual to take all, part or none of that allowance. He stated that many Members are working hard on the Combination and it is important to recognise this given the need to ensure arrangements for the new Authority are in place for 1 April 2016.
- 10.7 The Vice-Chairman proposed that no Member receiving an allowance will receive any further allowance, but the four who are not would get £1,500. The Chairman stated that this was not a legal option, the £1,500 would need to be available to all Members, with an understanding that it is only taken if an individual wishes to.
- 10.8 Mrs Ann Stribley stated that the purpose of the Combination is to save money which could be achieved by saving potential increases in allowances for the next nine months. Mr Peter Edge reported that Wiltshire Members receive an allowance that is £1,000 less than in Dorset.
- 10.9 Upon being put to the vote:

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- 10.10 **Resolved: That the basic allowance be set at £1,500 for all Members of the Shadow Authority.**
- 10.11 Members went on to consider the recommendations associated with the Special Responsibility Allowance (SRA). Although the paper recommended twice the basic allowance, Swindon's IRP recommended three times the basic allowance. Mr Bob Jones proposed two times and this was seconded by Mr Colin Jamieson. Mr Philip Eades was opposed to the receipt of an allowance.
- 10.12 The Chairman clarified that the Chairman position would be split so that each fulfilled the role for a six month period. He confirmed that both Chairmen are equally involved in discussion with the Chief Fire Officers and will both also Chair the Shadow P&R Committee.
- 10.13 On it being put to the vote:
- 10.14 **Resolved: That a Special Responsibility Allowance at a rate of twice the basic allowance be payable to each of the two Chairmen.**
- 10.15 Members then went on to consider the options for an allowance for membership of the shadow P&R Committee. This had been variously recommended by the independent panel members at one times basic allowance or 0.5 basic allowance.
- 10.16 Mr Spencer Flower proposed 0.5 times and Mr Colin Jamieson seconded this.
- 10.17 Mr Philip Eades requested assurance that payments made by the Dorset Fire Authority and the Wiltshire and Swindon Authority connected with the work of the Joint Committee would cease so that members would not receive a second special allowance. The Monitoring Officer gave this assurance.
- 10.18 **Resolved: That a Special Responsibility Allowance at a rate 0.5 times the basic allowance be payable to members of the Shadow P&R Committee.**
- 10.19 **Resolved: All Members agreed that travel and subsistence reimbursements would remain consistent with each Authority as present with the addition of a dependent/carers allowance.**
- 10.20 The Monitoring Officer reported that the Swindon's independent panel had asked that early consideration should be given to a reduction in the number of Members of the Authority. They considered that a membership of 30 is too large for a single purpose authority.
- 10.21 The Chairman advised that it has always been agreed that a review of membership would take place within two years once steady state is established.
- 10.22 Mr Philip Eades questioned that this could mean three years' time from now, two years from April 2016 and if so he would urge the Shadow Authority to bring this timescale forward. He

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suggested bringing it forward to after the elections in May. Mrs Beverley Dunlop agreed with this suggestion.

- 10.23 Mr Bob Jones queried that guidance was received to maintain an Authority at 30. It was confirmed that the Combination Order indicated up to 30 Members. The Monitoring Officer confirmed the need to have an outcome within two years from now and The Chief Fire Officer (Designate) suggested that the 2017 elections are used as a milestone to complete this work. Mrs Ann Stribley suggested a decision should be made, ready to come into effect in May 2017.
- 10.24 Mr Graham Payne queried the legitimacy of the Authority making a decision to reduce membership without ratification by Statutory Instrument. If this is the case, the potential for longer timescales and delays needs to be considered. The Monitoring Officer agreed to liaise with government officials over this issue.
- 10.25 The Chairman Devine suggested that the Monitoring Officer should provide guidance at the October Authority meeting, but suggested it was common sense to go for amendments prior to local elections in 2017.
- 10.26 **Action: The Monitoring Officer to provide an outline paper for the next Shadow Authority meeting in October 2016 regarding the way forward for amending membership of the Authority.**
- 10.27 **Resolved: All Members agreed this approach.**

## **11. Programme of Shadow Authority Meetings and Seminars for 2015/16**

- 11.1 The Vice-Chairman expressed the importance of Members being available for scheduled meetings. Changing dates is extremely difficult given the number of people involved in these meetings and the reliance the agenda and timescales have on officer work programmes. She asked that Members provide good notice of items for agendas - it may be possible to change these but not meeting dates. The Vice-Chairman also proposed that an additional meeting of the Shadow Authority is set for the 23 October 2015.
- 11.2 **Resolved: All Members agreed to an additional Shadow Authority meeting on the 23 October 2015.**
- 11.3 **Resolved: The Chairman confirmed that all Members were happy with the scheduled dates.**

## **12. AOB**

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- 12.1 Mr Philip Edge raised a concern that these meetings are being held in a private sector environment.
- 12.2 The Chairman reported that City Hall was unavailable for this date. The Chief Fire Officer (Designate) assured Members that the costs are comparable.
- 12.3 Mr Gary Perkins requested that an approach is made to the Council to provide Members with free parking when in Salisbury on council business and Mr Philip Edge suggested the same from Dorset County Council.
- 12.4 **Action: The Monitoring Officer to follow up with request to Salisbury City Council for free parking for Members and advise Chairman of the outcome.**
- 12.5 The date of the next meeting was confirmed as 23 October 2015 following the Members Seminar.

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**TOWN TWINNING NETWORK**

**WEDNESDAY, 15 APRIL 2015**

**PRESENT:-** Roger Gower (Swindon Salzgitter Twinning Association), Mike Ide (Wroughton - St Germain les Corbeil Twinning Association), Councillor Kevin Small, Councillor Abdul Amin, Nazma Ramruttun (Swindon Mauritius Friendship Twinning), Councillor Junab Ali and Cristina Bennett (Swindon Ocotal Link)

Apologies for absence were received from Richard Pearce, Mark Sarnowski, Hassan Nur, Councillor Michael Bray, Councillor Toby Elliott, Councillor Andrew Bennett and Cecilia Olley

**5. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**6. Public Question Time**

No public questions were received during the meeting.

**7. Minutes**

**Resolved:** That the minutes of the meeting held on 3<sup>rd</sup> December 2014 be confirmed and signed as a correct record.

**8. Reports from Town Twinning Associations and Links**

The Network considered (a) a report of the Director of Law and Democratic Services listing the Town Twinning Associations and Links in and around Swindon and b) the following verbal reports from those Town Twinning Associations and Links present at the meeting:

**Swindon Salzgitter Twinning Association**

Roger Gower reported on the following:

- The SSTA had held 3 meetings since December 2014
- The programme for the Salzgitter visit from 18<sup>th</sup> – 25<sup>th</sup> June 2015 was nearly finalised.
- Roger spoke at length about the proposed programme for the visit, in particular about the trip to Arkles Brewery, Nova Hreod School, the bench plaque in the Town Gardens, Lydiard House, and the proposed trip to visit Concorde in Bristol. The Network noted that the visit was now not going to take place as the Association was unable to board Concorde and the hiring of a coach for the day was proving to be rather costly. The Salzgitter guests were being asked to suggest where they would like to visit in place of the Concorde trip.

- A local radio station programme called 'What a Wonderful World' focussed on Salzgitter
- The SSTA web site was now live and had received 3 contact enquiries.

The Network noted that there were opportunities for the general public and members of the Network to become involved in any of the Swindon Salzgitter 40<sup>th</sup> Anniversary celebrations. A copy of the SSTA programme would be circulated to the Network for information.

It was suggested that consideration be given at the next Network meeting to a project, possibly involving sports clubs that all Swindon Twinning Associations/Links could become involved with.

### **Swindon Ocotal Link (SOL)**

Cristina Bennett reported on the following:

- A meeting of the Link was held recently
- The Link's Treasurer had recently left and attempts to fill the vacancy were being made
- The Link were looking at ways to enhance its profile, including the addition of a Facebook page and associated training for Link members
- It appeared that a mural of Ocotal, previously placed at the Link Centre, had been removed when the Leisure facility was transferred to GLL. Cristina asked if this could be followed up and the mural put back in place
- The Link was currently looking at fundraising issues and wished to host some guests from Ocotal. Cristina asked for details of how to apply for a Town Twinning Grant.

### **Wroughton – St Germain les Corbeil Twinning Association**

Mike Ide reported that the Association were currently meeting as a social group and that it was proving difficult to generate interest in twinning activities amongst the residents of Wroughton.

Mike explained that Wroughton Youth Football Club had shown an interest in attending an exchange football match in St Germain les Corbiel in May 2015, however there was not a lot of time before the event and the Club had not received a lot of notice to prepare for the trip.

### **Swindon Mauritius Friendship Link**

Nazma Ramruttun reported on a trip she had made to Mauritius in February 2015. Unfortunately the Mayor was out of the country at the time of her visit, however, Nazma was visiting Mauritius again in June 2015 and would be speaking with the Chief Executive about the possibility of Mauritius setting up a Twinning Committee in a similar way to Swindon.

It was understood that the Chief Executive from Mauritius was travelling to Swindon in a few months and Nazma suggested that members of the Network could meet him once he arrived.



**TOWN TWINNING NETWORK**

**WEDNESDAY, 3 JUNE 2015**

**PRESENT:-** Mark Sarnowski (Swindon Torun Link), Roger Gower (Swindon Salzgitter Twinning Association), Mike Ide (Wroughton - St Germain les Corbeil Twinning Association), Cecilia Olley (Swindon Ocotal Link), Councillor Junab Ali, Councillor Michael Bray, Councillor Teresa Page, Councillor Kevin Small (Chair) and Councillor Oliver Donachie

Apologies for absence were received from Councillor Andrew Bennett, Hassan Nur

**9. Appointment of Chair**

**Resolved:**

That Councillor Kevin Small be appointed Chair of the Town Twinning Network for the 2015/16 Municipal Year.

**10. Appointment of Vice-Chair**

**Resolved:**

That the appointment of a Vice-Chair of the Town twinning Network be deferred until the next meeting on 30<sup>th</sup> September 2015.

**11. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

Councillors Kevin Small and Junab Ali made personal declarations of interest in respect of Agenda Item No. 9 in their capacity as members of the Salzgitter Twinning Association and therefore did not participate in the voting on the grant application from the Swindon Salzgitter Twinning Association.

**12. Public Question Time**

No public questions were received during the meeting.

**13. Minutes**

**Resolved:** That the minutes of the meeting held on 15<sup>th</sup> April 2015 be confirmed and signed as a correct record.

**14. Exempt Items - Exclusion of Press and Public**

**Resolved:** That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 9 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public

interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 17 refers.)

## **15. Reports from Town Twinning Associations and Links**

The Network considered (a) a report of the Director of Law and Democratic Services listing the Town Twinning Associations and Links in and around Swindon and b) the following verbal reports from those Town Twinning Associations and Links present at the meeting:

### **Swindon Salzgitter Twinning Association**

Roger Gower reported on the following:

- The programme for the Salzgitter visit from 18<sup>th</sup> – 25<sup>th</sup> June 2015 was now finalised.
- Roger spoke at length about the proposed programme for the visit, in particular about the trip to Arkles Brewery, Nova Hreod School, the bench plaque in the Town Gardens and Lydiard House.
- A local radio station programme called 'What a Wonderful World' focussing on Salzgitter, had recently interviewed Roger and his wife, along with a member of the SSTA who was born in Salzgitter.
- A British film maker had recently recorded material in Swindon for a film that would measure the attitudes of the general public to Germany and the German people. It was understood that the film maker was delighted with the responses received from the general public.
- The SSTA web site was still attracting interest.

The Network noted that there were opportunities for the general public and members of the Network to become involved in a number of the Swindon Salzgitter 40<sup>th</sup> Anniversary celebrations. A copy of the SSTA programme would be circulated to the Network for information.

The Chair reported on a visit to Swindon from a motorbike group and a veteran football group from Salzgitter during the Bank Holiday weekend at the end of May 2015.

### **Swindon Torum Link**

Mark Sarnowski reported that an artist from Torun had been commissioned to design a memorial for Queens Park. The memorial would commemorate the contribution of the Polish people through the years towards the development and culture of Swindon. Mark spoke about the funding issues and explained that a book of dedication would be available for people to sign and also make a contribution towards the memorial.

The Network noted that an exhibition on Torun was also being considered for the future.

### **Swindon Ocotal Link (SOL)**

Cecilia Olley reported on the following:

- Meetings were being held every two months
- Fundraising was continuing

- It was understood that the Nicaraguan government were planning to build a canal from one side of the country to the other side – a similar concept to the Panama Canal.

### **Wroughton – St Germain les Corbeil Twinning Association**

Mike Ide reported that the Association were currently meeting as a social group and that it was proving difficult to generate interest in twinning activities amongst the residents of Wroughton.

Mike explained that a football team representing Wroughton was unable to attend the exchange football match being held in St Germain les Corbeil during May 2015.

### **16. Swindon Salzgitter 40th Anniversary Celebrations**

The Chair updated the Network on the work of the Swindon Salzgitter 40<sup>th</sup> Anniversary Working Group. He reported that the last meeting was on 30<sup>th</sup> March 2015 and that a further meeting was being arranged.

It was noted that Councillor Toby Elliott was no longer a member of the Network and subsequently no longer a member of the Working Group. Councillor Oliver Donachie expressed an interest in replacing Councillor Elliott in attending future Working Group meetings.

The Network noted that Town Twinning Associations and Links generally attracted the participation of older residents and consideration was given to how younger residents could be encouraged to appreciate and understand the benefits of Town Twinning and become more involved. It was suggested that social media could play a major part in heightening the awareness amongst young people, especially through the school system. It was also suggested that the wealth of information on Town Twinning held by the Associations and links should be documented for future generations.

#### **Resolved:**

1. That a further meeting of the Swindon Salzgitter 40<sup>th</sup> Anniversary Working Group be arranged.
2. That Councillor Donachie investigates the opportunity of using social media in Schools to help pupils engage with learning foreign languages and strengthening the links with Town Twinning.

### **17. Application for a Town Twinning Grant**

The Town Twinning Network considered a report of the Director of Law and Democratic Services about a grant request received from the Swindon Salzgitter Twinning Association.

Roger Gower, Chair of the Swindon Salzgitter Twinning Association explained that the application for a Town Twinning grant of £1000 was to assist with the costs of a cultural visit to Swindon by a group from Deutsch-Englische Gesellschaft from 18<sup>th</sup> June to 26<sup>th</sup> June 2015 and briefly outlined the programme planned for the visit.

Roger confirmed that the total cost for the visit was £1720 and that the costs of

hosting and entertaining the guests from Salzgitter amounted to £603. Any deficit would be paid for by members of the Association and host families would pick up any costs relating to guests staying in their homes. He added that transport costs were included as this was a reciprocal arrangement with Salzgitter who always ensured that visitors from Swindon were transported to and from the airport.

The Network noted that a budget of £15,250 was available for Town Twinning Activities. However, £10,000 of that budget had been agreed by the Cabinet at its meeting on 22<sup>nd</sup> October 2014 to fund Council supported events to commemorate the 40<sup>th</sup> Anniversary since the formation of the Swindon Salzgitter Twinning Association.

It was suggested that a grant of £1,000 be supported and that £500 should come from the £10,000 Council contribution for the 40<sup>th</sup> Anniversary and the remaining £500 to come from the £5250 allocated specifically for Town Twinning Grants.

**Resolved :** That the Town Twinning Network recommends to the Director of Law and Democratic Services that a grant of £1000 be approved to assist with the costs of a cultural visit to Swindon by a group from Deutsch-Englische Gesellschaft from 18<sup>th</sup> June until 26<sup>th</sup> June 2015 as suggested above.

**Note of Meeting**

**ONE SWINDON BOARD**

**TUESDAY 24 MARCH 2015**

**Present:** Gavin Jones (SBC), Councillor Stan Pajak (SBC), Cherry Jones (SBC), Sue Wald (SBC), Paddy Bradley (SBC), Heather Mitchell (SEQOL), Daniel Rose (VAS), Ian Jeary (Wilts Fire and Rescue), Simon Routh-Jones (Wilts Fire and Rescue), Jill Annal (DWP), Angus Macpherson (OPCC), Jan Stubbings (CCG), Nicki Millin (CCG), Nicky Alberry (Business West) and Carmel Burton (SBC).

1.	<b>Welcome and introduction</b>	<b>ACTION</b>
	<p>Gavin Jones, Chief Executive of Swindon Borough Council, took the Chair for the meeting as Cllr David Renard, Leader of Swindon Borough Council and Chair of the One Swindon Board, had given his apologies.</p> <p>The Board noted that James Griffin had recently left Swindon Borough Council and wished to record their thanks for his support.</p> <p>The Board agreed the notes of the meeting held on Tuesday 25 November 2014.</p>	
2.	<b>Implementation of the Business Cases</b>	<b>ACTION</b>
	<p>The Board received updates on the implementation of the Business Cases as follows.</p> <p><b>Strengthen Families</b></p> <p><i>Alcohol Support and Advice – Cherry Jones</i></p> <p>The Board noted that seven Peer Mentors have now started and four are ready to apply for the Recovery Motivator Role. Feedback has been provided from the service and recovery community on how the process can be improved, and Peer Mentors are now working with communities and referring into the service.</p> <p><i>Reducing Domestic Abuse – Perpetrators – Cherry Jones</i></p> <p>The Board noted that the first course begins on 2 April 2015 but that there has been a struggle with recruiting people to attend. Referrals have come in from out of Swindon as there is a waiting list in Wiltshire, and further promotion will be undertaken to encourage more referrals.</p>	



	<p>so no data is currently available for evaluation, but is has moved on from its pilot stage.</p> <p><i>Safe and Independent Living – Simon Routh-Jones</i></p> <p>The Board noted that there had been problems with the software involved with the project but that it is working well with signposting to and referring between a number of partner agencies, charities and Swindon Borough Council support services taking place.</p> <p>During discussion the following issues were raised:</p> <ul style="list-style-type: none"> <li>• The Board noted that companies like British Gas are being recommended to start implementing programmes like this one as they regularly access people's homes.</li> <li>• The Board noted that the Dorset Fire and Rescue Service are a forerunner on this project and have won a national award for their scheme.</li> <li>• It was agreed that more marketing towards community practitioners needs to be done to raise awareness and increase referrals.</li> </ul> <p><i>Community Navigators – Nicki Millin</i></p> <p>The Board noted that there will be 13 Community Navigators across 26 GP practices encouraging patients to take more of a self-management approach to their conditions. There has been a change to the operating model to enhance self-care and management, and the plan is to roll out to all 26 GP practices during 2015/16.</p> <p><i>Reducing re-offending – Carmel Burton</i></p> <p>The Board noted that attendance levels have been 71% which is the highest ever recorded for this cohort. There has been 100% engagement with all partners and a high level of satisfaction recorded. 21 of the of the 50 people involved with the project have progressed on into full or part time paid employment or voluntary work, and the cost of re-offences has reduced by 27% over the last quarter. Transformation funding has allowed the project to expand, and people who have gone through the service are now acting as mentors to new people coming in.</p> <p>It was agreed that the Chief Executive of Swindon Borough Council and the Police and Crime Commissioner would meet with the new Community Rehabilitation Company (replacing the Probation Trust) to discuss their new areas of work and consider inviting them to attend Board meetings.</p>	<p>Gavin Jones / Angus Macpherson</p>
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	<p><b>Grow the Economy</b></p> <p><i>Local Supply Chain and Procurement – Nicky Alberry</i></p> <p>The Board noted that a review and evaluation process will be completed by June on the impact of the work undertaken so far, with a view to expanding this into the private sector. A briefing will be sent to partners regarding the possibilities of getting the Standing Orders of the public sector partners harmonised to achieve alignment on the procurement of contracts with a value of up to £176k.</p> <p><i>Ready for Work Academy – Jill Annal</i></p> <p>The Board noted that both colleges in Swindon are now participating in this programme, and that delivery will commence in April 2015. It is expected that an individual will go through the programme in about 13 weeks.</p> <p><i>Town Centre Team – Gavin Jones</i></p> <p>The Board noted that the new building officially opened in January and that joint working is already showing benefits for all concerned. The next steps are to change cultures which will be necessary for further integration.</p> <p>During discussion the following issues were raised:</p> <ul style="list-style-type: none"> <li>• The recording of unintended outcomes from shared working, and the bonus effect of joint problem solving.</li> <li>• The difficulties in finding the location of the building, and access for the public.</li> </ul> <p>The Board noted the updates given.</p>	Nicky Alberry / Paddy Bradley
<b>3.</b>	<b>One off funding requests</b>	<b>ACTION</b>
	<p>The Board received and discussed the following requests for one-off funding.</p> <p><i>Pilot Multi-agency Risk Enablement Panel for adults with multiple needs</i></p> <p>Sue Wald, Head of Commissioning - Children and Adults at Swindon Borough Council, outlined the serious case review undertaken by the Local Safeguarding Adult Board in 2014, and highlighted the findings from that review which has led to this pilot being proposed. The Board is being asked to fund a development and administrative resource to pilot a multi-agency risk enablement and case planning process for adults with</p>	



	<p>multiple needs, so that an effective plan is put in place with a nominated lead worker in order to reduce the risk of significant harm to the individual. The pilot would run for 18 months with an evaluation to enable commissioners to build this into future budget planning. The request is for £90k for the duration of the pilot.</p> <p>During discussion the following points were raised:</p> <ul style="list-style-type: none"> <li>• It is not expected that a large number of people would be involved in the pilot initially. A task and finish group would be set up to develop an operational plan, and individual agencies would be expected to continue their involvement beyond the pilot stage if an individual is referred to them.</li> </ul> <p>The Board agreed to fund £90,000 for the pilot Multi-agency Risk Enablement Panel for adults with multiple needs.</p> <p><i>Pilot to reduce the impact of street drinkers in Swindon</i></p> <p>Cherry Jones, Director of Public Health at Swindon Borough Council, noted that there are approximately 100 street drinkers in Swindon, and the multi-agency working group has been focussing on developing a Swindon model based on the Bristol model of Integrated Offender Management. The Board noted that a funding request is not being sought at this time, but the approval to work up a full outline business case to be submitted to a future meeting.</p> <p>During discussion the following points were raised:</p> <ul style="list-style-type: none"> <li>• Recent decisions taken by the Licensing Committee at Swindon Borough Council, and the potential impact this may have on the ability to procure alcohol for street drinking.</li> <li>• The request for more detail and examples from the Bristol model to be included in the full outline business case.</li> <li>• It was noted that the Ambulance Service may have data which would also support proposals in the outline business case.</li> <li>• The request for costings within the full outline business case which will show how the proposed funding of the pilot would save money and reduce service pressure in the longer term.</li> </ul> <p>The Board agreed to receive the full outline business case electronically once it had been prepared, and to take a virtual decision on the funding request at that time.</p>	
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<b>4.</b>	<b>Structural proposals / joint working and updates concerning SBC, Wiltshire Police and Wiltshire Fire Service</b>	<b>ACTION</b>
	<p>The Board received an update from Simon Routh-Jones, Wiltshire Fire and Rescue Service, on the proposed merger with Dorset Fire and Rescue Service. The Combination Order should come into effect from 1 April 2015, and a Joint Committee has been formed. A Shadow Board is also being formed from 23 June 2015, with the full Combined Authority coming into effect from April 2016. A Chief Fire Officer will be designated to see through the transition, and a £5.54m transformation bid has been successful for the new Hub, IT and branding. The Board then received a presentation from Ian Jeary, Wiltshire Fire and Rescue Service, on the proposal to create a Safety Centre which has formed part of the transformation bid. The Centre will be a partnership approach to drive down risk. The Board noted that an update with more detail will be brought to a future meeting.</p> <p>The Board then received an update from Angus Macpherson, Wiltshire and Swindon Police and Crime Commissioner, regarding the proposed strategic alliance with the Avon and Somerset Constabulary. It will not be a merger of the two forces, as there would still be two independent Chief Constables and two Police and Crime Commissioners. Instead there would be a common approach to policing with activities undertaken once across the two areas. The finance strategy will be externally verified, and frontline policing will be protected.</p> <p>Mr Macpherson asked the Board to note that Mr Pat Geenty, Chief Constable of Wiltshire Constabulary, had recently announced his intention to retire at the end of May 2015. It was agreed that the Chair of the Board would write to Mr Geenty to thank him for his contribution.</p> <p>Mr Gavin Jones, Chief Executive of Swindon Borough Council, advised the Board that all local authorities are looking at options for becoming 'combined authorities'. Opportunities are being explored at the moment, but more information should be available following the election in May 2015.</p>	David Renard
<b>5.</b>	<b>Next steps – what's next for One Swindon</b>	<b>ACTION</b>
	This item was deferred to the next meeting of the One Swindon Board.	