



## **SWINDON BOROUGH COUNCIL**

**Municipal Year 2015/16**

**Meeting of Council on Thursday, 21 January 2016**

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

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

1. Minutes of meeting Thursday, 12 November 2015 of Special Committee (Pages 5 - 6)
2. Minutes of meeting Friday, 18 December 2015 of Special Committee (Pages 7 - 8)
3. Minutes of meeting Tuesday, 17 November 2015 of Audit Committee (Pages 9 - 12)

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

4. Minutes of meeting Monday, 26 October 2015 of Scrutiny Committee (Pages 15 - 18)
5. Minutes of meeting Monday, 23 November 2015 of Scrutiny Committee (Pages 19 - 22)
6. Minutes of meeting Monday, 14 December 2015 of Scrutiny Committee (Pages 23 - 28)
7. Minutes of meeting Wednesday, 2 December 2015 of Children's Health, Social Care and Education Overview and Scrutiny Committee (Pages 29 - 32)

8. Minutes of meeting Wednesday, 25 November 2015 of Economy and Regeneration Overview and Scrutiny Committee (Pages 33 - 36)
9. Minutes of meeting Wednesday, 18 November 2015 of Streetsmart and Highways Overview and Scrutiny Committee (Pages 37 - 40)

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

10. Minutes of meeting Tuesday, 10 November 2015 of Planning Committee (Pages 43 - 44)
11. Minutes of meeting Tuesday, 8 December 2015 of Planning Committee (Pages 45 - 48)
12. Minutes of meeting Tuesday, 15 December 2015 of Licensing Committee (Pages 49 - 50)
13. Minutes of meeting Tuesday, 15 December 2015 of Licensing Committee (Pages 51 - 52)
14. Minutes of meeting Tuesday, 6 October 2015 of Education Transport Appeals Sub-Committee (Pages 53 - 54)
15. Minutes of meeting Monday, 30 November 2015 of Education Transport Appeals Sub-Committee (Pages 55 - 56)
16. Minutes of meeting Tuesday, 12 January 2016 of Education Transport Appeals Sub-Committee (Pages 57 - 58)

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

17. Minutes of meeting Tuesday, 1 December 2015 of Schools Forum (Pages 61 - 62)

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

18. Minutes of meeting Wednesday, 9 December 2015 of the Wiltshire and Swindon Fire Authority (Pages 65 - 68)
19. Minutes of the meeting Friday 23 October 2015 of the Shadow Dorset and Wiltshire Fire and Rescue Authority (Pages 69 - 76)

## **Section 1**

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

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**SPECIAL COMMITTEE**

**THURSDAY, 12 NOVEMBER 2015**

PRESENT:- Councillors David Renard (Chair), Fionuala Foley, Jim Grant, Dale Heenan, Brian Mattock (Vice-Chair), Des Moffatt, Stan Pajak, Garry Perkins, Kevin Small and Russell Holland (Deputy).

Apologies for absence were received from Councillors Junab Ali and Brian Ford.

**6. Declarations of Interest**

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

**7. Minutes**

Resolved –That the minutes of the meeting held on 8<sup>th</sup> June 2015 be confirmed and signed as a correct record.

**8. Public Question Time**

No public questions were asked under Standing Order 28.

**9. Recruitment Process for Head of Paid Service**

The Leader of the Council and Head of Performance, People and Engagement submitted a joint report concerning the resignation of the Chief Executive, who would be leaving the Council in January 2016 to take up a similar role in another local authority and the process to be followed to enable the recruitment of a new Chief Executive for the Council and to appoint an interim Head of Paid Service until the new appointee takes up the post.

The Chair referred to the process associated with the appointment of a new Chief Executive and to the salary level for the post and the associated recruitment costs. He emphasised that this would be contained within existing Budget provision.

Members of the Committee considered and suggested changes to the proposed Chief Executive Job Description and Person Specification.

Councillor Kevin Small commented that he believed that there was merit in the Council's Chief Executive also being its Returning Officer. Members of the Committee noted Councillor Small's comments but the Committee was of the view that the issue should not be taken forward at this time.

Resolved – (1) That the Special Committee, on behalf of the Council, confirms that it will continue with the post of Chief Executive following the departure of Mr Gavin Jones.

(2) That the Head of Performance, People and Engagement be authorised to begin the process of recruiting a new Chief Executive for the Council, including the appointment of an appropriate recruitment consultant, and to make the necessary arrangements required for the successful appointment to that post.

(3) That the Special Committee on behalf of the Council, and subject to the amendments in (a) to (c) below, approves the role description and person specification for the post of Chief Executive as set out in Appendix A to the joint report-

(a) Appendix A – Job Description – Leadership – To amend to read – “To lead, develop, *manage* and inspire an effective and coordinated senior management team ensuring they achieve the outcomes agreed by the Council through the development of new and innovative partnerships and the successful delivery of programmes and plans.”;

(b) Appendix A – Job Description – Performance – To amend to read – “Manage the relationship between Elected Members and Officers, maintaining the essential Member / Officer partnerships and processes, which promote a positive and mutually respectful relationship between Members and Officers.”, and

(c) Appendix A – Person Specification – Minimum Essential Requirements – Second to Last Bullet Point - To request the Head of Performance, People and Engagement to clarify and strengthen the wording of this Bullet Point prior to publication.

(4) That the Leader of the Council, in consultation with the other Political Group Leaders on the Council, be authorised to appoint an interim Chief Executive and Head of Paid Service, from the current members of the Council’s Corporate Board, to act in that capacity in the period between the current Chief Executive leaving and the successor Chief Executive beginning in post.

#### **10. Appointment of Trustee - Swindon Art Gallery and Museum Trust**

The Chair advised of the requirement for the Council to nominate a Council appointed Trustee to serve on the newly established Swindon Art Gallery and Museum Trust. (Minute 26, 2015/16 of the Cabinet refers.)

Resolved – That, on behalf of the Council, Councillor Brian Mattock, Deputy Leader of the Council and Cabinet Member for Adult Health and Social Care, be nominated to serve as a Council appointed Trustee on the Swindon Art Gallery and Museum Trust.

### **SPECIAL COMMITTEE**

**FRIDAY, 18 DECEMBER 2015**

**PRESENT:-** Councillors David Renard (Chair), Junab Ali, Fionuala Foley, Brian Ford, Jim Grant, Brian Mattock (Vice-Chair), Des Moffatt, Garry Perkins and Kevin Small.

Apologies for absence were received from Councillors Dale Heenan and Stan Pajak.

#### **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.

#### **12. Minutes**

Resolved – That the minutes of the meeting held on 12<sup>th</sup> November 2015 be confirmed and signed as a correct record.

#### **13. Public Question Time**

No public questions were asked under Standing Order 28.

#### **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 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 15 refers.)

#### **15. Changes to Council Structure and Statutory Responsibilities**

The Chief Executive and the Leader of the Council submitted a joint report concerning a proposed (a) amendment to the Council's current organisational structure to enable robust internal support for the interim Chief Executive in the short-term and for the permanent Chief Executive in the longer-term so that they have the capacity to fulfil this challenging role, and (b) reassignment of the statutory roles of Director of Adult Services and the Director of Children's Services from the current post holder from now until such a time as a permanent Chief Executive takes up that appointment.

The Chief Executive introduced the report and explained the necessity for the temporary reassignment of the statutory roles of Director of Adult Services and the Director of Children's Services and how this would operate in practice. He commented on the proposed amendment to the organisational structure and referred to the views of Corporate Board and the Board Director, Resources on the support role to be provided to the Chief Executive and Corporate Board under the proposed new structure.

Resolved – That the Special Committee, on behalf of the Council, and with effect from the 19th December 2015, approves:

(a) The movement of the functions managed by the Head of Performance, People and Engagement from the Resources Directorate to the Chief Executive's department;

(b) The Interim Chief Executive, in consultation with Corporate Board, review the role profile of the Head of People, Performance and Engagement and make any changes necessary to reflect his expectation of how the role will provide support for Corporate Board, the Council's wider Leadership Team and Councillors, in consultation with the current post holder;

(c) The temporary movement of the functions managed by the Head of Housing Services-Commissioning, Housing and Community Safety, from the Board Director Commissioning (DCS/DASS) to the Board Director, Service Delivery;

(d) The following temporary reassignments:

(i) The role of Director of Adult Social Services (DASS) to be reassigned to employee number 1421485 and the role of Director of Children's Services (DCS) to employee number 2009000 until such a time as a permanent Chief Executive appointment is made; and

(ii) Line management of the functions managed by the Head of Education Services and the Director of Public Health to the Director of Children's Services and Director of Adult Social Services respectively during this interim period.

(e) The Director of Law and Democratic Services being authorised to amend the Council's Constitution accordingly.

## **16. Mr Gavin Jones, Chief Executive**

The Chair reported that this meeting of the Special Committee would be the last Council meeting to be attended by Mr Gavin Jones, Chief Executive, who would be leaving the Borough Council on 15<sup>th</sup> January 2016 to take up a new role as Chief Executive of Essex County Council.

Resolved – That the Special Committee express its appreciation to Mr Gavin Jones, Chief Executive, for his service to the Borough and it offer him its best wishes for the future in his new role at Essex County Council.



**AUDIT COMMITTEE**

**TUESDAY, 17 NOVEMBER 2015**

PRESENT:- Councillors Steve Weisinger (Chair), Steve Allsopp, Oliver Donachie, Nick Martin, Des Moffatt, Maureen Penny and Kevin Small.

An apology for absence was received from Councillor Mark Edwards.

**24. Declarations of Interest**

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

**25. Public Question Time**

There were no public questions.

**26. Minutes**

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

**27. Mid-Year Treasury Performance 2015-16**

The Committee received a report of the Board Director, Resources, setting out the Council's mid-year Treasury Management performance for the period to the end of September 2015/16 in relation to (i) its long-term borrowing for capital investment and short-term borrowing for temporary cash flow purposes and (ii) its investment of surplus cash.

Mr Paul Smith, the Council's Head of Technical Finance, was in attendance to present the report and responded to members' specific questions on some of the issues raised in relation to the report's analysis of the Council's debt and investment position.

Resolved – (1) That the Council's mid-year Treasury Management performance position, as at end September 2015, be noted.

(2) That, in response to members' comments at the meeting, this report should, in future, provide additional information on daily cash flow balances and that the officer be asked to circulate to members this information as applicable to the period to end September 2015.

(3) That the External Auditor be asked to provide a written response to the Committee's query regarding the appropriate nominated authority for raising additional premiums on business rates.

**28. Internal Audit follow-up review: Licensing (Taxi and Private Hire)**

The Committee received a follow-up review of the initial audit report on "Licensing (Taxis and Private Hire)", which review, completed in December 2014 and reported to Audit Committee in March 2015, had concluded that whilst many aspects of the

Licensing system were working effectively, some fundamental internal controls were missing. Consequently, the audit conclusion was that there were fundamental weaknesses in the internal control arrangements leading to a 'significant' risk to the Council.

The Committee noted that the follow-up review had established that a number of the audit recommendations had been fully implemented and that further recommendations, including the main outstanding matter, relating to the reconciliation of income collected and services provided, had been implemented since completion of the follow-up review.

The Council's Head of Planning, Regulatory Services, Heritage and Libraries and the Licensing Manager were in attendance and provided a current position statement in relation to the implementation of the internal audit recommendations and responded 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 be advised of the specific Key Performance Indicators that have been put in place to facilitate monitoring of the effective delivery of service improvements.

(3) That the significant work that has been carried out to improve the Council's Taxi and Private Hire Licensing system, in response to the audit findings, be recognised and welcomed.

(3) That, with regard to the arrangements introduced from 1<sup>st</sup> November to reconcile income collected and services provided, the Head of Internal Audit be asked to conduct a review of the effectiveness of the arrangements and to report his findings to the Committee if appropriate.

## **29. Internal Audit Charter**

The Committee received a report of the Head of Internal Audit inviting members to review and approve the Council's Internal Audit Charter. It was noted that the Audit Charter was a requirement of the Public Sector Internal Audit Standards (PSIAS), which standards provided the mandatory guidance that constituted the principles of the fundamental requirements for the professional practice of internal auditing within the public sector and for the evaluation of the effectiveness of Internal Audit's performance.

Resolved – That the Internal Audit Charter, appended to the report, be approved.

## **30. External Audit**

### **(i) The Annual Audit Letter**

The Committee received the External Auditors' Annual Audit letter. It was noted that it was the intention that the Letter should communicate key messages to the Council and to external stakeholders, including members of the public.

Liz Cave, the External Auditors' Engagement Lead for the Council, introduced the report, summarising the key findings arising from their work at the Council for the

year ended 31 March 2015, as reported in detail to the last meeting of the Audit Committee in the Audit Findings report, and commenting on the following residual risk areas:

- Financial Resilience – the funding gap over the period of the next three years and the need to find on-going savings to ensure that the budget can be balanced.
- The management of the service transformation programme.
- The recruitment and retention of social workers and the impact on the efficiency of the service.

Ms Cave made particular reference to the issue reported to the last meeting, regarding a potential change in the draft 2014/15 accounts of a wholly owned subsidiary of the Council, commenting that, to her knowledge, the issue remained outstanding. Whilst she fully expected that the issue would be appropriately resolved, she suggested that the resolution of this matter should be reported to members of the Audit Committee.

Resolved – (1) That the report be noted.

(2) That the External Auditor provide members with details of the guidance pertinent to local authorities' responsibility to appoint an independent reporting accountant for the certification of the Teachers' pension return.

#### (ii) Update

Liz Cave (Grant Thornton) presented a report advising the Committee of the External Auditors' progress, as at 17<sup>th</sup> November 2015, in respect of the delivery of their audit responsibilities. Ms Cave advised members that the External Auditors' Audit Plan for 2015/16 would be submitted to the Committee early in 2016 for approval and commented on the influence on the Plan of the following two medium term issues:

- The Government's intention to bring forward by two months the timetable for signing off local authority accounts.
- The Government's intention to bring highways infrastructure on to the balance sheet at replacement cost.

The Update report also included a summary of key emerging national issues and developments that might be of interest to the Committee.

Resolved – (1) That the update report and the summary of key emerging national issues and developments be noted.

(2) That, further to Councillor Donachie's comments about his concerns regarding levels of written off miscellaneous expenses, as identified in a meeting he had attended previously, the support officers for that previous meeting be asked to provide a breakdown of the aforementioned miscellaneous expenses in order that this might be considered by the Audit Committee.

(Councillor Oliver Donachie made a non-prejudicial declaration of interest in respect of the Committee's consideration of this item on the grounds of his appointment as a non-executive Director of Public Power Solutions).

**31.**

**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 September 2015, progress made against the Annual Internal Audit Plan 2015/16 and Internal Audit staffing and resource issues.

Resolved – (1) That the report be noted.

(2) That the Head of Internal Audit determine which, if any, audit review(s), completed between now and the next scheduled meeting, should be submitted to the Committee for detailed consideration.

## **Section 2**

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

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**MONDAY, 26 OCTOBER 2015**

PRESENT:- Councillors Robert Wright (Chair), Richard Hurley, Gemma McCracken, Stan Pajak, Vera Tomlinson, Oliver Donachie, Colin Lovell, Des Moffatt, Maureen Penny, Chris Watts, and Timothy Swinyard

Councillors 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, Emma Faramarzi, Cabinet Member for Housing and Public Safety, Fionuala Foley, Cabinet Member for Children's Services, Brian Ford, Cabinet Member for Streetsmart, and Dale Heenan, Cabinet Member for Sustainability and Transport.

Apologies for absence were received from Councillors John Ballman, Kevin Parry and Carol Shelley.

**25. Declarations of Interest**

There were no declarations of interest.

**26. Public Question Time**

Mr Ray Worman, a local resident, asked a question regarding the issue of insurance cover in relation to Community "clean-up" days. Mr Worman's question was answered at the meeting.

**27. Minutes**

Resolved – That the minutes of the meeting held on 12<sup>th</sup> October 2015 be confirmed and signed.

**28. Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 21 October 2015.

*31. Local Safeguarding Children Board Annual Report 2014/15*

Councillor Fionuala Foley, Cabinet Member for Children's Services, supported by the Board Director, Commissioning, responded to questions put by members concerning:

- financial penalties for parents taking their children out of school during term time
- options for raising educational attainment standards in Schools
- self-harming.

Resolved – That Minute 31 of the Cabinet be noted

*32. Budget Management 2015/16*

Resolved – That Minute 32 of the Cabinet be noted.

33. *Care Act 2014 - Fairer Charging and Deferred Payments*

Resolved – That Minute 33 of the Cabinet be noted

34. *Highway Asset Management Policy and Strategy*

Resolved – That Minute 34 of the Cabinet be noted.

35. *Capita Partnership Agreement - IT Service*

Resolved – That Minute 35 of the Cabinet be noted.

36. *Debt Management*

The Council's Head of Finance and Change responded to members' questions on issues raised in the report. It was agreed that a written response be provided in respect of the following matters raised by members:

- overpaid housing benefits
- the breakdown of miscellaneous debts
- council tax write off amounts in 2014/15.

Resolved – That Minute 36 of the Cabinet be noted.

37. *Polling District and Places Review*

Resolved – That Minute 37 of the Cabinet be noted.

38. *Local Government Ombudsman - Annual Review 2014/2015*

Resolved – That Minute 38 of the Cabinet be noted.

39. *Updated Contract Standing Orders*

Resolved – That Minute 39 of the Cabinet be noted.

It was agreed that information requested by members during the course of the Committee's consideration of this item should be forwarded to members via the Committee Clerk.

**29. Cabinet Member Question and Answer Session - Cabinet Member for StreetSmart**

Councillor Brian Ford, Cabinet Member for Streetsmart 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:

- Waterside Depot Management
- Streetsmart
- Public Toilet's
- Waste Disposal/Waste Minimisation
- Street Lighting
- Street Cleaning
- Enviro-crime



- Recycling
- Refuse Collection – Domestic and Trade
- Ground and Tree Maintenance and Open Spaces
- Removal of Graffiti and Abandoned Vehicles
- Parts (Streetsmart services only)
- Environmental Issues. Landscape and Countryside (including Community Forrest)
- Playgrounds – including those not currently utilised
- Maintenance of Roundabouts and non-HRA verges
- Building and Engineering
- Building Services, Cleaning, Catering, and Security Services
- Gullies and Drainage, minor road repairs, potholes

Following his presentation of the report, Councillor Ford responded to members' specific questions and observations on following issues raised in the presentation and also in the accompanying report:

- The frequency and scheduling of street lighting columns replacement.
- The overall response time in relation to queries submitted by members via the Members' Hotline.
- The procedure for the identification, reporting and subsequent removal and replacement of trees.
- The proposal that some existing council services might be appropriately carried out by Parish Councils.
- The frequency and costs related to the replacement of kerbside recycling vehicles.
- The procurement of a "multi-hog machine" by the Highways department to complete repairs and highway patching more effectively.
- The hedge-cutting programme.
- The response to a recent incident of an electrical fire in a public toilet in Wroughton.
- The number and distribution of disabled access public toilets in the Borough.
- The frequency of Winter-gritting of roads carried out by the Highways department.
- Response times for individual complaints made by members of the public to the Council.
- The cost to members of the public for green waste collection and whether this represents good value for money.

Resolved – That Councillor Brian Ford, the Cabinet Member for Streetsmart, 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.

### **30. Status of Outstanding Request for Information**

Resolved - That the status of outstanding requests for information be considered in greater detail at the next meeting of the Committee.

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**SCRUTINY COMMITTEE**

**MONDAY, 23 NOVEMBER 2015**

PRESENT:- Councillors Robert Wright (Chair), John Ballman, Richard Hurley, Gemma McCracken, Kevin Parry, Oliver Donachie, Colin Lovell, Maureen Penny, Carol Shelley, Chris Watts and Caryl Sydney-Smith.

Councillors David Renard, Leader of the Council and Chair of Cabinet, and Brian Mattock, Deputy Leader of the Council, Vice-Chair of Cabinet, were in attendance.

Apologies for absence were received from Councillors Stan Pajak, Vera Tomlinson and Des Moffatt.

**31. Declarations of Interest**

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

**32. Public Question Time**

Mr Roy Worman, a local resident, asked a number of questions regarding the Community Governance Review and, particularly, the proposed methodology for public consultation. Councillor David Renard, the Leader of the Council, responded to Mr. Worman's questions at the meeting.

Mr Jim Boyd, a resident of Old Town, asked questions about the public consultation to be carried out in support of the Community Governance Review and the Council's position in the event of limited or no public engagement in the process. Councillor Renard responded to Mr. Boyd's questions at the meeting.

Mr Boyd asked a further question about the Council's process for the scrutiny of its budget proposals and the accuracy of budget figures. Councillor Renard responded to Mr. Boyd's question at the meeting.

Mr Boyd concluded by asking if a differentiation could be made between "public engagement" and "public consultation" and, specifically, whether two public engagement sessions that had taken place recently regarding the future of Lydiard House and Park were part of, or in addition to, a formal public consultation. Councillor David Renard, the Leader of the Council, responded to the general aspects of Mr Boyd's question, relating to public engagement and public consultation, at the meeting. The Chair, Councillor Bob Wright, asked that the responsible Cabinet Member be asked to provide a written response on the specific issue raised by Mr Boyd in relation to the Lydiard House and Park public engagement sessions.

**33. Minutes**

Resolved – That the minutes of the meeting held on 26<sup>th</sup> October, 2015, be confirmed and signed as a correct record.

**34. Consideration of Cabinet Panel decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the meeting of the Cabinet Panel on School Organisation held on 18th November 2015.

*21. Increasing the Age Range at Crowdys Hill Special School from 11-16 to 11-19 from September 2016*

Councillor Fionuala Foley, Cabinet Member for Children's Services, supported by the Council's Strategic Planning Manager Commissioning Economy and Attainment, responded to questions put by the Chair and Councillors Gemma McCracken and Chris Watts on the following matters:

- The implications of the proposed expansion on future capacity at Swindon Secondary schools.
- The analysis of the success of the proposal by means of measured outcomes.
- Issues concerning Special Educational Needs (SEN) provision and the transfer of pupils' personal care budgets between schools.
- Capital investment in educational projects and the arrangements in place to facilitate communication between schools on matters of identified best practice and value for money.
- The implications of the proposed expansion on future SEN provision at Uplands School.

Resolved – (1) That Minute 21 of the Cabinet Panel on School Organisation be accepted.

(2) That this Committee recognises and commends the work of the Cabinet Member for Children's Services and the Council's Education Officers in developing this proposal that will extend the further education opportunities for students at the school as part of the Council's own long-term SEN provision development strategy.

**35. The Leader of the Council's Half-Year Update**

Further to Minute 5, Councillor David Renard, the Leader of the Council, attended the meeting to report to the Committee on the Authority's performance in the first half of the 2015/16 Municipal Year in progressing the Council's priorities and targets, as outlined in his Annual presentation to the Committee at its June meeting.

Councillor Renard introduced his report, commenting on the Council's achievements so far in 2015/16 and highlighting the challenges for the remainder of the year.

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:

- The timeframe for development of proposals based on the initial stage of the Community Governance Review and for consultation on those proposals.
- The Wichelstowe joint venture and the income generation information included in the report.
  - The timeframe for the repayment of the debt incurred by the Council in providing the project infrastructure.

- The timeframe for the parties' agreement to the joint venture contractual arrangements and the scheduling of meetings of the associated Cabinet Member Advisory Group.
- The Council's medium-term financial position and the statement in the report that £100m of savings had been delivered in the last five years.
  - The distinction to be made between savings on service provision cost and cuts to service provision.
- The Council's response to the changing fiscal landscape and the contention in the report that some functions currently delivered by the Council might be better provided by other means.
- The level of savings that could be attributed to the Council no longer having to pay revenue subsidies, as a result of transferring service provision, and the level of private sector investment in services as a result of such transfers.
- The Council's annual subsidy of £450k in respect of Lydiard House and Park.
- The student admissions and retention data for the University Technical College and measures that might be taken to promote the facility.
- The implications for the Council of the provision in the Government's Autumn Statement 2015 that local authorities will have the power to increase adult social care funding through a new 2% council tax precept.
- The process for initiating a Community Governance Review and the availability of guidance for Parish Councils on their power to conduct a referendum on any given issue.
- Opportunities for cross-party working to deliver Vision priorities and pledges.
- The Swindon Museum and Art Gallery project and issues relating to the provision of a sustainable future for the Borough's cultural and heritage treasures.
- The dilapidated condition of a number of council-owned buildings and opportunities to avoid future maintenance costs and realise the value of such assets by encouraging community investment in the use, management and upkeep of such buildings.
- Community engagement in the progression of Vision pledges.
- The potential for the devolution of powers and responsibilities under the Combined Authorities proposals.

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

(2) That information requested by members during the course of the Committee's consideration of this item be forwarded to members via the Committee Clerk (Appendix 1 refers).

### **36. Status of requests for action and/or information**

The Committee received a report advising on the status of outstanding issues and member requests for information.

Resolved – (1) That the report on the status outstanding issues and member requests for information, including the information included in the update tabled at the meeting, be noted.

(2) That it be noted that the guidance document on the topic of insurance cover for community "clean up" days, forwarded to all members of the Council on 11 November, would be updated in accordance with the Committee's suggestion at this meeting, and re-issued.

(3) That, on the topic of outstanding responses to questions put by members, the officers be asked to ascertain if changes to the Council's procurement process, proposed at a meeting of the Full Council, had been implemented.

**SCRUTINY COMMITTEE**

**MONDAY, 14 DECEMBER 2015**

PRESENT:- Councillors Robert Wright (Chair), Richard Hurley, Des Moffatt, Kevin Parry, Stan Pajak, Vera Tomlinson, Oliver Donachie, Carol Shelley, Chris Watts, Michael Bray, Caryl Sydney-Smith and Steve Weisinger.

Councillors David Renard, Leader of the Council and Chair of Cabinet, Brian Mattock (Deputy Leader of the Council and Cabinet Member for Adult Health and Social Care), Toby Elliott, Cabinet Member for Communities and Strategic Planning, Fionuala Foley, Cabinet Member for Children's Services, Brian Ford, Cabinet Member for Streetsmart, Dale Heenan, Cabinet Member for Sustainability and Transport, Russell Holland, Cabinet Member for Finance, People and Performance, Mary Martin, Cabinet Member for Corporate, Customer and Digital Services, and Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills.

Apologies for absence were received from Councillors John Ballman, Colin Lovell, Gemma McCracken and Maureen Penny.

**37. 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.

**38. Public Question Time**

Ms Shirley Burnham, a local resident, asked a number of questions about the libraries service budget proposals, particularly in relation to Liden Library and Central Library. The Chair asked that Ms Burnham be provided with written responses to her questions.

**39. Minutes**

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

**40. Consideration of Cabinet decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 9<sup>th</sup> December 2015.

**44. *Delivering the Vision – Growing Swindon's Economy***

Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills responded to questions put by the Chair and Councillors Des Moffatt and Chris Watts on the following matters:

- Forward Swindon and the delivery of the Vision objectives and associated projects.
- The role of the Cabinet Member in supporting the delivery of the Vision.

- The development of Higher Education at a cost of £50,000 in preference to the development of Secondary Education.
- The European Structural Investment Fund contribution of £98,000 would be subject to the impact of any future EU Referendum.
- The plans in place in the event that European investments did not materialise.
- The continuing reduction of funding from Central Government and the increasing dependence on Business Rates to help fund future projects.
- The focus of Forward Swindon on the promotion of projects, particularly the delivery of Town Centre projects, in the short term.

Resolved – That Minute 44 of the Cabinet be noted.

*45. 2016-2020 Direction of Travel, Financial Context and Budget Proposals*

Councillor Russell Holland, Cabinet Member for Finance, People and Performance, responded to questions put by the Chair and Councillors Stan Pajak, Chris Watts and Des Moffatt on the following matters:

- The proposed Council Tax increase of 1.94%, and support for an increase of a further 2% to fund shortfalls in social care budgets.
- The need to ask residents about the services they wish the Council to provide, in particular the provision of the children service centres
- The breakdown of the £100m.
- Proposals to achieve the savings on Grounds and Street Cleaning Services and Leisure, Community Assets and Culture.
- The use of the New Homes Bonus as a source of base budget funding.
- Concern that the amount received from Business Rates would be a reduction in funding compared to the current Grant received from the Government.
- The delivery of local services by Parish Councils and the effect on budgets should the Parish Councils decide to not deliver these services
- The proposal to discontinue the Localities Fund and the effect on the One Swindon Partnership Fund.
- The detailed facts and figures to justify the savings put forward in the Council's budget proposals.
- The need for a risk assessment to be carried out on the potential consequences of any reduction and closure of services.
- The effect on the safety in the Town if anti-social behaviour services were streamlined.

Resolved – That Minute 45 of the Cabinet be noted.

*46. Capital Programme Monitoring – Second Quarter and Treasury Management 2015/16*

Resolved – That Minute 46 of the Cabinet be noted.

*47. Result of the Consultation on Short Breaks for Disabled Children, Young People and their Families*



Councillor Fionuala Foley, Cabinet Member for Children's Services, responded to questions put by the Chair and Councillor Des Moffatt on the following matters:

- The funding decisions previously made about the service.
- The connection between the reduction in support for families and the level of pressure and anxiety they experience.
- Benchmarking with other local authorities and how they manage the demand for their short breaks service.

Resolved – That Minute 47 of the Cabinet be noted.

*48 Future of Swindon Borough Council Operated Nurseries*

Councillor Fionuala Foley, Cabinet Member for Children's Services, responded to questions put by the Chair and Councillor Stan Pajak on the capital investment required to complete immediate maintenance at the Children's Nursery in Euclid Street and proposals for the site.

Resolved – That Minute 48 of the Cabinet be noted.

*49. Changes to Swindon Borough Council's Fostering Agency Foster Panel Membership*

Councillor Fionuala Foley, Cabinet Member for Children's Services, responded to questions put by the Chair and Councillors Oliver Donachie, Vera Tomlinson, Mick Bray and Carol Shelley on the following matters:

- The removal of the need to appoint elected members to the Swindon Foster Panel and the new members of the Panel.
- Concern that the role of the local member was being reduced.
- The role of members as corporate parents and the relevance of members on the Foster Panel.
- Concern that lay members of the Foster Panel would have a limited view point based on their professional background, whereas Council members have a broad range of understanding that would be beneficial to the Panel.
- The details about recent changes in the regulations governing Foster Panels.

Resolved – That Minute 49 of the Cabinet be noted.

*50. Response to Council Motion on Refugees*

Councillor David Renard, Leader of the Council and Chair of Cabinet, responded to questions put by the Chair and Councillors Stan Pajak, Chris Watts and Oliver Donachie on the following matters:

- The support available to groups helping refugees who arrive in Swindon, particularly, the availability and use of support grants.
- The identification of empty properties and potential renovation projects that could house refugees.
- Details about the four migrations dispersal centres in the South West and the number of refugees being helped in Swindon.

Resolved – That Minute 50 of the Cabinet be noted.

*51. References from other Bodies*

Councillor David Renard, Leader of the Council and Chair of Cabinet, responded to a question put by the Chair on the progress being made in relation to the Swindon Safety Partnership Board making a priority of domestic abuse

Resolved – That Minute 51 of the Cabinet be noted.

*52. Mr Gavin Jones, Chief Executive and Ian Willcox, Committee and Member Services Manager*

The Chair and members of the Committee expressed their appreciation for the help and support of the Chief Executive and Committee and Member Services Manager over the years, in particular for the contributions made in relation to the development of the Councils Scrutiny function.

The Director of Law and Democratic Services reported that Steve Jones, Committee Officer, had been appointed as Interim Committee and Member Services Manager and consequently he would take on the role of the Councils Statutory Scrutiny Officer.

Resolved – That Minute 52 and 53 of the Cabinet be noted.

It was agreed that information requested by individual members during the course of the Committee's consideration of the Cabinet decisions should be forwarded to the Committee Clerk for distribution to Scrutiny Committee members.

**41. Cabinet Member Question and Answer Session - Cabinet Member for Corporate, Customer and Digital Services**

Councillor Mary Martin, the Cabinet Member for Corporate, Customer and Digital Services, 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:

- Member Development
- Customer Services, including the One Stop Shop
- Health and Safety
- Digital by Design
- IT Strategy and Delivery
- The Customer Experience
- Operational Buildings
- Swindon Traded Services
- Schools ICT
- Superfast Broadband
- Leisure (residential services e.g. Highworth, County Ground etc.)
- Public Power Solutions Ltd (PPS)

At the request of the Chair, Councillor Martin, in her presentation of the report, commented specifically on those elements within her portfolio which she 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 she 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 her presentation of the report, Councillor Martin responded to members' specific questions and observations on the following topics:

- The lifecycle for Windows 7.
- The investment needed in Wat Tyler for server hosting.
- The cost of returning a significant part of the Capita ICT service to the Council's direct control.
- The website and the ability to easily navigate to appropriate Council website pages.
- The next phase of the 'digital by default' approach to customer services.
- Concern that some parts of the new website directs users to documents still stored on the old Sharepoint site.
- The response from urban communities to the launch of superfast broadband.
- The comparison between the Members Hotline and Customers Hotline, in particular the responses received by customer to issues reported and enquiries logged.
- Problems encountered by users of particular broadband service providers when connecting to customer services and possible solutions.
- The migration of Council emails to Office 365 and the associated benefits.
- The look and feel of the new council website.
- The ownership of the Highworth Recreation Centre and its continuation as a local asset for the Highworth area.
- The potential increase in Refuse Derived Fuel usage and the associated savings.
- The work being undertaken by Network Rail at The Sidings, Swindon
- Information Asset Management and details about the ownership of data.
- The total cost of setting up Public Power Solutions.
- The considerations, including public consultation, in relation to the appointment of UKBN to provide superfast broadband in Swindon.
- Concern about the mixed reaction received from the residents of Swindon about the superfast broadband solution provided by UKBN and the potential uptake of the service.
- The evidence that the silent majority support the delivery of the superfast broadband service by UKBN.

Resolved – (1) That Councillor Mary Martin be thanked for attending the meeting to present her performance report and for her full and open responses to members' questions and observations on the issues raised.

(2) That information requested by members during the course of the Committee's consideration of this item be forwarded to members via the Committee Clerk.

#### **42. Status of Requests for Action and/or Information**

The Committee received an updated report advising on the status of outstanding issues and member requests for information.

Resolved - That the report on the status outstanding issues and member requests for information, including the information included in the update tabled at the meeting, be noted.

**CHILDREN'S HEALTH, SOCIAL CARE AND EDUCATION OVERVIEW AND  
SCRUTINY COMMITTEE**

**WEDNESDAY, 2 DECEMBER 2015**

PRESENT:- Councillors Gemma McCracken (Chair), Michael Bray, John Haines, Cathy Martyn, Teresa Page, James Robbins, Eric Shaw, Carol Shelley, Nadine Watts, Steve Weisinger and Robert Wright, Paul Sunners (Standing Advisory Council for Religious Education), Valerie Johnstone (Governor), Jo Garton (Swindon Association of Primary Headteachers), Alison Paul (Swindon Association of Special Schools Headteachers), Liz Townend (Bristol Diocese) and Mary Cosker (Healthwatch).

Apologies for absence were received from Councillors Fionuala Foley, Maureen Penny and Julie Wright, David Dawson (Catholic Diocese), Kevin McNamara (Great Western Hospital), Dr Wendy Wodhouse (Oxford Health NHS Foundation Trust).

**18. 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 James Robbins declared a personal and non-prejudicial interest as he was a Foster Carer.

Councillors Nadine Watts, James Robbins and Gemma McCracken and Mr Paul Sunners declared personal and non-prejudicial interests as they were school governors.

**19. Minutes**

Resolved: That the minutes of the meeting held on 2<sup>nd</sup> September 2015 be confirmed and signed as a correct record.

**20. Public Question Time**

No public questions were asked or submitted for this meeting.

**21. Education Standards and Performance Report**

The Board Director, Commissioning and the Head of Education submitted a joint report setting out the achievements of Swindon children and young people in their public assessments in primary and secondary schools.

Mr Peter Nathan, Head of Education explained that the report highlighted improvements in performance and areas for development. He advised that performance was measured against national averages and the report included data regarding attendance and behaviour which could be an indicator of pupil and school performance.

Mr Peter Nathan introduced Ms Sarah Foulkes, Commissioner for Education and Mr Nigel Pickering, Additional Provision and Regeneration Manager. He explained that at the end of Key Stage 1, attainment had risen in all subjects. Members noted the difference in attainment for disadvantaged pupils and that at Key Stage 2 girls attained a higher standard than boys. He commented on the Ofsted Inspection Framework that had changed over recent years and that a new Framework was implemented with effect from September 2015.

Mr Peter Nathan referred to school exclusions and attendance and explained that attendance was above the national average for both primary and secondary schools. Fixed term exclusions had increased over the past years and that together with the Local Swindon Safeguarding Board, the Local Authority partnered with schools to address this.

The Committee welcomed the improvements in 2014/15 and Mr Peter Nathan, Ms Sarah Foulkes, Mr Nigel Pickering and Mr John Gilbert, Board Director Commissioning, responded to questions put by members regarding the following points:

- Addressing the disadvantage relating to the attainment gap particularly as this widened when pupils progressed from primary to secondary schools and how Pupil Premium Funding helped in narrowing the gap. The Committee noted the following factors that were relevant to the attainment gap:
  - (a) socio-economic factors;
  - (b) how the pupil premium was utilised to raise pupil attainment, particularly those receiving free school meals;
  - (c) how information relating to pupil premium expenditure was available on schools' websites;
  - (d) work undertaken by schools to reduce the gap; and
  - (e) proposed work to be undertaken by the virtual head teacher to address narrowing the attainment gap.
- How to utilise pupil premium funding. Members enquired if Pupil Premium Funding could be utilised solely for the child attracting the funding and how this was applied by other authorities. Members noted that Appendix 7 of the report indicated a narrowing in the disadvantaged attainment gap, particularly at Key Stage 2 and that schools were allowed to use Pupil Premium Funding as they saw fit to ensure the attainment gap narrowed. In response to a query regarding national standards, Ms Jo Garton (Swindon Association of Primary Headteachers) referred to the work being undertaken in primary schools to narrow the attainment gap.
- The type of support, particularly through Traded Services, available to assist academies.
- The effect of pupils with English as an Additional Language on schools' performance. Members noted that this was not an issue in Swindon schools and nationally, pupils with English as an additional language outperformed their peers in the range of subjects studied.
- Discussions undertaken with the Regional Schools Commissioner regarding schools' performance.
- The importance of strong leadership in schools.
- Local Authority Ranking as reflected in Appendix 5 (Provisional Key Stage 4 results). Members noted that as with Ofsted practices,

Swindon ranked itself against other local authorities.

- Why the level of attainment fell between Key Stages 2 and 4 and actions being taken to address this. Mr Peter Nathan confirmed that various factors may affect a pupil's progress such as the quality of teaching and change in personal circumstances. He elaborated on discussions undertaken with schools to address this, particularly raising pupils' aspirations.
- Awareness that a number of Swindon pupils study out of Borough and statistics relating to their performance was unavailable.
- Confirmation that Academy Schools were autonomous. Mr Peter Nathan referred to the working relationship with academies, including the Teaching School. Members noted that all academies worked in different ways and that working as part of a cluster offered various opportunities to improve performance.
- Schools attendance at events that enabled networking opportunities.
- Understanding the importance of parents' involvement within the school community.
- Behavioural Policies and how these can contribute in the reduction of exclusions.
- Confirmation of how the Fair Access Panel provided strong guidance to pupils and schools.
- Strategies being implemented to reduce the number of exclusions in special schools.
- Clarity on the behavioural strategy utilised for Looked After Children.

Resolved: (1) That the Head of Education be thanked for his informative report.

(2) That the Head of Education be requested to circulate attainment data reflected by school type, particularly reflecting where academies were stand alone or part of a trust.

(3) That the Elected Member of the Youth Parliament be requested to circulate information regarding her campaign, "Raising Aspiration".

(4) That the Head of Education be requested to circulate exclusion data for Looked After Children.

## **22. Special Educational Needs and Disabilities (SEND) Reform Task Group Update**

Mr Paul Sunners, the Chair of the SEND Reform Task Group, reported on the progress of the Task Group to date. He referred to the importance of member's attendance and collaboration, and to the discussions held at the meetings. The Chair thanked Mr Sunners and the task group for their work and advised that the Committee looked forward to their report and recommendations in April 2016.

Resolved – That progress made by the SEND Task group, be noted.

## **23. Work Programme 2015\_16**

The Director of Law and Democratic Services submitted a report concerning a work programme detailing the activities that the Committee would be undertaking during the forthcoming Municipal Year, with the aim of producing evidence based recommendations intended to provide service improvements for Cabinet and external agencies/bodies to consider.

Resolved – That the report be noted.





**ECONOMY AND REGENERATION OVERVIEW AND SCRUTINY COMMITTEE**

**WEDNESDAY, 25 NOVEMBER 2015**

**PRESENT:-** Councillors Oliver Donachie (Chair), Wayne Crabbe (Vice-Chair), Emma Bushell, Wayne Crabbe (Vice-Chair), Oliver Donachie (Chair), Mary Friend, Cathy Martyn, Des Moffatt, Kevin Parry, James Robbins, Joe Tray and Chris Watts

**ALSO PRESENT:** Councillor Garry Perkins, Cabinet member for Economy, Regeneration and Skills

Apologies for absence were received from Councillors Richard Hurley.

**44. 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 Perkins declared a pecuniary interest in relation agenda item 6 – Devolution in Local Government, during the discussion on business rates as he owned a business in Swindon.

**45. Minutes**

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

**46. Public Question Time**

No public questions were received during the meeting.

**47. Local Plan**

The Committee received an update report from David Dewart, Planning Manager on the Swindon Borough Local Plan Review and the Town Centre Masterplan.

The Planning Manager explained that the Swindon Borough Local Plan was adopted by the Council on 26<sup>th</sup> March 2015 and contained policies relating to Swindon Town Centre. He reported that, following a recommendation by the Local Plan Inspector work, had started on reviewing the Policies, in particular Policy SC1, which was a summary of policies contained within the Swindon Central Area Action Plan (CAAP),. Work had already commenced on the recommendation with a Strategic Housing Market Assessment and Employment Land Review being commissioned to assess the amounts of employment land and housing required to 2036. Assessment reports were expected to be ready in May 2016.

The Committee were informed that Forward Swindon had published the Town Centre Masterplan in March 2013, which amplifies the CAAP. A Delivery Plan is being prepared which will identify worked up and costed schemes for delivery in the next five years. It was expected that the schemes would unlock wider regeneration of the Town Centre.

The Planning Manager and Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills responded to a number of comments and questions from the Committee, as follows:

- The conversion of offices to residential dwellings in the central area
- Timescales for the delivery of schemes detailed in the Town Centre Masterplan
- The influence and implications of the Housing and Planning Bill on Swindon and Neighbourhood Plans
- The type of planning permission to be granted for schemes detailed in the Town Centre Masterplan

The Committee considered a proposal that officers hold a workshop style event to discuss in more detail the potential Policy implications for the Town Centre. It was suggested that the event should be held in early summer 2016 as the evidence base would be available and the Housing and Planning Bill was likely to have gained Royal Assent.

**Resolved:**

1. That the report be noted.
2. That the Committee supports a workshop style event to discuss in more detail the potential Policy implications for the Town Centre.
3. That the Chair and Committee Officer consider further the scheduling of the workshop and confirm details in due course.

#### **48. Devolution in Local Government**

The Committee received a report from Paddy Bradley, Head of Economy, Skills and Property Development summarising the broad range of proposals made to the government as part of its request for devolution bids.

The Head of Economy, Skills and Property Development explained that the report would allow the Committee to gauge an understanding of the requests made by other areas and the potential impact on local government of the devolution of powers, responsibilities and resources.

The report was limited to a description of the bids from across the country and provided a brief insight into some of the most targeted themes, which also captured some of those contained in the bid submitted by Swindon Borough Council (SBC). The report outlined some of the key benefits and possible associated risks to SBC.

The Head of Economy, Skills and Property Development and Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills responded to a number of comments and questions from the Committee, as follows:

- The deadline for expressions of interest and process for response from the government
- The key benefits of devolution
- An explanation of the roles and powers of a 'Metro' mayor and a directly elected executive mayor
- The amount of authority delegated to the directly elected executive mayor

compared to that of the 'Metro' mayor

- An explanation of the role of a Combined Authority and the retention of equal voting rights regardless of their size
- Concern about the effect of devolution on the number of Councillors and their duties
- Increase in public sector housing provision
- Concern about the level of services that could be provided in relation to the percentage of Business Rates collected
- The current and future working relationship between Wiltshire Council and SBC
- The effect on SBC due to a potential increase in housing development within Wiltshire on the SBC/Wiltshire Council boundary
- The obligation to work with a Local Authority on a Council's boundary
- The electrification of railway lines, cross border implication and working in partnership with local authorities in Wales
- The SBC service areas that could benefit from devolution with Wiltshire Council
- Devolution and the role of the Local Enterprise Partnership (LEP)
- Concern that the LEP was an unelected body and the need for checks and balances to be in place
- Concern at the potential of significant risk to SBC of devolution and the need to increase the level of scrutiny in this area

**Resolved:**

1. That the report be noted.
2. That the Head of Economy, Skills and Property Development provides the Committee with a matrix detailing the options with/without mayors and with/without combined authorities.
3. That the Chair and Committee Officer schedule an additional meeting of the Committee to consider updates on the latest information in relation to the devolution bids received by the government when it is available.

(Note – Councillor Perkins declared a pecuniary interest in relation to the discussion on business rates as he owned a business in Swindon).

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**STREETSMART AND HIGHWAYS OVERVIEW AND SCRUTINY COMMITTEE**

**WEDNESDAY, 18 NOVEMBER 2015**

PRESENT:- Councillors Kevin Parry (Chair), Junab Ali, Alan Bishop, Paul Dixon, Colin Lovell, Nick Martin, Derique Montaut, Timothy Swinyard, Joe Tray and David Wood.

Also in attendance were Councillors Brian Ford, Cabinet Member for Streetsmart and Dale Heenan, Cabinet Member for Sustainability and Transport.

Apologies for absence were received from Councillors Eric Shaw (Vice-Chair) and Vera Tomlinson.

**12. 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.

**13. Public Question Time**

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

Questioner

Mr Roy Worman, Haydon View Community Association

Questions

Mr Worman asked a set of questions regarding: the problems currently being experienced at the waste recycling centre; the working hours and collection routes of refuse collectors; and the consultation on the Local Flood Risk Management Strategy.

Response

The Chair thanked Mr Worman for his questions and comments.

Councillor Brian Ford, Cabinet Member for Streetsmart, responded at the meeting with regards to the questions concerning his areas of responsibility. Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, also responded at the meeting with regards to the questions concerning his areas of responsibility, and advised that a written response would be provided on the queries around the Local Flood Risk Management Strategy consultation.

**14. Minutes**

Resolved – That the minutes of the meeting held on 16 September 2015 be accepted as a correct record.

## 15.

### Street Lighting

The Committee received a report setting out the current provision of the street lighting service and options currently being considered to reduce energy consumption and manage street lighting assets.

Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, introduced the report and noted that funding is usually borrowed to pay for replacement costs. Replacing the current lamps with LEDs is too cost prohibitive so thought needs to be given on what the priorities are for this service as the Council is currently spending around £1m per year on the electric bill for the columns and energy prices keep on increasing. He also highlighted the three outline business cases that officers are currently proposing to develop for consideration in early 2016, as set out in paragraph 3.17 of the report.

After the presentation of the report and Appendix 1, members asked questions and made observations on the following issues:

- The problems with street lights which remain on during daylight hours and how they are reported and fixed.
- The need for a cost-effective maintenance programme which is monitored to ensure an effective use of resources.
- The potential impact to any maintenance regime with a switch to LED lights.
- The design life of the street lighting infrastructure currently in situ in Swindon, and associated maintenance costs in relation to the longevity of the column.
- The statutory requirements and responsibility for street lighting services.
- The coding used by Southern Electric to calculate the electricity consumption and subsequent bill they produce.
- The potential for council assets to be used for electricity production which could be sold or used for street lighting.
- The ordering of priority on replacement or maintenance of columns.
- Future developments in technology in this area and their potential impact.
- The lessons learnt from the unsuccessful bid for LED street lighting conversion and concrete column replacement.
- The criteria used to determine electrical inspections and testing as set out in Appendix 1.
- The manufacturer guarantees that come with the different columns or lanterns used.

Resolved (unanimously): (1) To request that Cabinet look at the options to reduce energy use by up to 40% on street lighting.

(2) To request that the Cabinet Member for Sustainability and Transport brings an update report to a future meeting of this Committee regarding the range of options available to help achieve this target.

## 16.

### Planned Maintenance for Signage

The Committee received a report setting out the current position with regard to the maintenance of signs on the public highway.

Philip Martlew, Service Manager for Transport Planning and Traffic Management, introduced the report and highlighted that there are approximately 13,500 highway

signs across Swindon and it is a heavily regulated area. National legislation sets out the location, design, size and format of highway signs, and they can be placed on various posts, lamp columns, walls or other structures. Those signs with electronic components are inspected every twelve months with other signs being checked during the normal programme highway inspections. The Committee noted that concerns have been raised that some signs could present a better appearance than they do currently, and the Head of Streetsmart has been tasked with tackling the challenges of cleaning signs. When signs are updated they have to comply with international standards, and it was noted that a comprehensive asset management database with sign locations plotted on a mapping system would be a valuable resource for the Council.

Following the presentation of the report members asked questions and made observations on the following issues:

- The lack of adherence to byelaws covering billboards across the town and clutters of signage.
- The planned replacement programme for dealing with deteriorated signs.
- The plans to address foliage which covers signage and the possibilities of removing some of these signs.
- The costs associated with new signs being erected.
- The potential for the removal of unnecessary speed signs in certain areas and the constraints within traffic orders.
- The required look of new street signs erected by housing developers, and the process for the adoption of signage by the Council.
- The costs associated with the zonal updating of signs, and the changes that have taken place in all of the areas covered under the schemes.

Resolved – To note the contents of the report.

## **17. Local Bus Strategy Review**

The Committee received a report setting out the invitation from Council to undertake a review of Council bus subsidies and recommend a sustainable 'social need' bus policy, as agreed by the Council at its meeting on 24 September 2015 in response to a petition concerning the cessation of the Service 20 bus service operated commercially by Thamesdown Transport.

Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, introduced the report and highlighted that there is a small amount of funding available to assist users when a bus service is cancelled but there is no existing criteria to assess when and how the Council should step in and how that funding should be allocated. He confirmed that this Committee is being invited to consider if a social needs policy should be defined to help determine those criteria, and if it should also undertake a review of Council bus subsidies.

Following the presentation of the report and the existing Local Bus Strategy for Swindon attached at Appendix 1, members asked questions and made observations on the following issues:

- The need to avoid over-simplification on any criteria set, especially when considering the differing needs of urban and rural populations, and ensuring

that more than just £ amounts are considered.

- The figures on bus usage and concessionary travel, and how recipients of free bus passes are counted.
- The relationship between Swindon Borough Council and Thamesdown Transport, and the viability of the Council operating its own bus services.
- Ensuring that the most vulnerable in society are protected as well as meeting the wider needs of the community.
- The viability of dedicated bus lanes and the future need for them.

Resolved – (1) To add a review to determine how to define social need for future subsidy allocations to the Committee's Work Programme for 2016-2017.

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

The Committee received a report of the Director of Law and Democratic Services regarding the development of its work programme for 2015-2016.

Resolved – That, subject to the additions to the programme as set out in these minutes, the Committee's update work programme be noted.



## **Section 3**

# **Regulatory Committee Minutes**

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# PLANNING COMMITTEE

TUESDAY, 10 NOVEMBER 2015

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

Apologies for absence were received from Councillors Paul Baker.

## 81. Declarations of Interest

There were no declarations of interest

## 82. Minutes

Resolved – That the minutes of the meeting held on 13<sup>th</sup> October 2015, be confirmed and signed.

## 83. Public Question Time

There were no public questions

## 84. 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 the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/15/467	Glen Godwin Chris Kennedy Gary Hodge	Agent Wroughton Parish Council 1 Kingswood
S/OUT/15/1025	Abigail Rees Ian Jenkinson	Agent Blunsdon Parish Council
S/15/155	Simon Chambers Chris Kennedy	Agent Wroughton Parish Council

Resolved – (1) That consideration of application numbered S/15/1104 be deferred pending further consultations.

(2) That the Head of Planning, Regulatory Services, Heritage and Libraries be authorised to grant permission in respect of application numbered S/15/467 upon expiry of the consultation period and subject to the conditions listed in the report as

amended below together with any additional, omitted or amended conditions that may be deemed appropriate

**Amended Condition**

**Sound Attenuation:**

18. The dwellings shall be designed so as to ensure that ambient noise levels in the first floor front facing bedrooms meet the requirements of British Standard 8233:2014 being 30 dB LAeq,8hour (2300-0700) and 45dB LAFmax (2300-0700). Prior to the occupation of the dwellings, a pre-habitation validation survey of the internal noise levels experienced in the front facing first floor bedrooms of the dwellings from emissions generated by the cooling units of the Co-Op store opposite the site shall be undertaken within a dwelling unit that has first been agreed in writing with the local planning authority. The findings of the survey shall be carried out and shall be submitted in writing to the Local Planning Authority for their approval and no dwelling shall be occupied until such approval has been received. Any necessary sound attenuation measures that may be identified to mitigate noise shall be implemented prior to the occupation of the development and shall be retained thereafter in the approved form.

Reason: In the interests of residential amenity

(3) That the Head of Planning, Regulatory Services, Heritage and Libraries be authorised to grant permission in respect of application numbered S/OUT/15/1025 subject to the completion of a planning obligation to secure the affordable housing that are material to the decision required to support the development, and subject to the conditions listed in the report with authority to vary the content and/or wording of both as appropriate.

(4) That permission be granted in respect of application numbered S/15/155 subject to the conditions listed in the report.

**85. Blackthorn Lane, Haydon Wick, Swindon**

On consideration of (a) a report of the Board Director, Service Delivery, concerning an application under Section 53 of the Wildlife and Countryside Act 1981 to have the path known as Blackthorn Lane Haydon Wick added to the Definitive Map and Statement (b) the comments of Councillor Renard (c) the comments of Peter Gallagher, Ramblers Association and (d) the comments of local residents.

Resolved – That the application under Section 53 of the Wildlife and Countryside Act 1981 to have the path known as Blackthorn Lane Haydon Wick added to the Definitive Map and Statement be refused.

**PLANNING COMMITTEE**

**TUESDAY, 8 DECEMBER 2015**

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

Apologies for absence were received from Councillors Paul Baker.

**86. Declarations of Interest**

There were no declarations of interest

**87. Minutes**

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

**88. 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 10 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned

**89. Public Question Time**

There were no public questions

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

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Heritage and Libraries;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments of Councillor Crabbe in respect of application numbered S/15/1104
- (e) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/15/1104	Mark Campbell	Agent
	Mike Hayward	
	Chris Kennedy	Wroughton Parish Council 41 Langton Park
	Andrew Prous	

Resolved – That permission to develop be granted in respect of application numbered S/15/1104, subject to the conditions listed in the Committee Report, as amended below:

Amended Condition:

7. The childminding facility (Class D1) hereby permitted shall be operated by and in conjunction with the occupiers of Cradlebridge House, and not be operated by any other person.

Reason: The childminding facility and residential uses taking place within the same property are interlinked using shared parts of the dwelling and as such it is not considered suitable for use as a childminding facility with no relationship to the occupation of Cradlebridge.

## **91. Assisted Living Housing Local Development Orders**

On consideration of (a) a report of the Head of Planning, Regulatory Services, Heritage and Libraries seeking approval of the Committee to adopt Local Development Orders which would grant planning permission upfront for assisted living bungalow schemes at two sites in Swindon; (b) the comments of Councillor Moffatt and (c) the comments of Andria Thomas, Beaufort Green, Swindon:

Resolved – That this Committee agrees that:

(1) The Local Development Orders (LDOs) at the following sites are formally adopted;

(a) Land at end of Linden Ave / Sycamore Grove, Pinehurst

(b) Land behind Bembridge Close / Beaufort Green, Park North

(2) A Local Development Order at Land behind Abbey View Road / Church Walk North, Moredon will not be pursued;

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

(4) 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.

## **92. Planning Agreements**

The Director of Law and Democratic Services submitted a report concerning the current position in relation to Deeds of Planning Obligation (i.e. Section 106 Agreement or Section 106 Unilateral Undertaking) authorised by the Council in its role as local planning authority.

Resolved – That the report be noted

## **93. Enforcement**

The Director of Law and Democratic Services submitted a report concerning the current position in relation to Planning Enforcement Action authorised by the Council in its role as local planning authority.

Resolved – That the report be noted.

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**LICENSING COMMITTEE**

**TUESDAY, 15 DECEMBER 2015**

PRESENT:- Councillors Abdul Amin, John Ballman, Alan Bishop, Michael Bray, Fay Howard, John Haines, Derique Montaut, Kevin Small, Caryl Sydney-Smith, Vera Tomlinson (Chair) and Peter Watts.

Councillor Emma Faramarzi (Cabinet Member for Housing and Public Safety) was also in attendance.

Apologies for absence were received from Councillors Junab Ali, Oliver Donachie, Maureen Penny and Eric Shaw and Eric Shaw.

**14. 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 Vera Tomlinson made a non prejudicial declaration of interest in respect of Agenda Item No. 5 as her daughter-in-law was involved with dog breeding.

**15. Minutes**

Resolved – That the minutes of the meeting held on 17<sup>th</sup> September 2015, be confirmed and signed as a correct record.

**16. Public Question Time**

No public questions were received during the meeting.

**17. Model Licence Conditions for Dog Breeding Establishments**

Resolved – That consideration of the report be adjourned until a meeting to be held in January 2015.

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**LICENSING COMMITTEE**

**TUESDAY, 15 DECEMBER 2015**

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

Councillor Emma Faramarzi (Cabinet Member for Housing and Public Safety) was also in attendance.

Apologies for absence were received from Councillors Junab Ali, Oliver Donachie and Maureen Penny.

**18. 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 Vera Tomlinson made a non prejudicial declaration of interest in respect of Agenda Item No. 5 as her Daughter-in Law as involved with Dog Breeding.

Councillor Mick Bray made a non prejudicial declaration of interest in respect of Agenda Item No. 6 as he used catteries situated with the Borough.

**19. Public Question Time**

Mr Owen (Cattery Owner) asked the Committee to consider the request from officers that his business inherit grandfather rights due to the he could not comply with the new regulations without substantially reducing the number of cats he could board. The Chair indicated that his comments would be considered as part of discussions during consideration of the agenda item.

**20. Model Licence Conditions for Pet Shops**

Resolved – That consideration of this item be adjourned until a meeting of the Committee to be held on 30<sup>th</sup> December 2015.

**21. Proposed Conditions for Dog Day Care**

Resolved – That consideration of this item be adjourned until a meeting of the Committee to be held on 30<sup>th</sup> December 2015.

**22. Model Licence Conditions for Catteries**

Resolved – That consideration of this item be adjourned until a meeting of the Committee to be held on 30<sup>th</sup> December 2015.

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**EDUCATION TRANSPORT APPEALS SUB-COMMITTEE**

**TUESDAY, 6 OCTOBER 2015**

PRESENT:- Councillors Alan Bishop, Michael Bray (Chair) and Peter Watts.

**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. Minutes**

**Resolved** – That the minutes of the meeting held on 22<sup>nd</sup> September 2015, be confirmed and signed as a correct record.

**23. 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 5 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.

**24. 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 the exceptional circumstances outlined in the appeals, appeal number TA/15/161/28 and 189 be upheld and public transport be provided until the end of the academic year 2015/16.

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**EDUCATION TRANSPORT APPEALS SUB-COMMITTEE**

**MONDAY, 30 NOVEMBER 2015**

PRESENT:- Councillors Michael Bray, Richard Hurley and Peter Watts (substitute).

An apology for absence was received from Councillor Paul Baker.

**25. Appointment of Chair**

Resolved – That Councillor Mick Bray be appointed Chair of this meeting of the Sub-Committee.

**26. 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.

**27. 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 28 refers).

**28. 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/15/272, TA/15/305 and TA/15/190/49 be refused.

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**EDUCATION TRANSPORT APPEALS SUB-COMMITTEE**

**TUESDAY, 12 JANUARY 2016**

PRESENT: Councillors John Ballman, Alan Bishop and Peter Watts.

**29. Appointment of Chair**

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

**30. 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.

**31. Minutes**

The Minutes of the Sub-Committee held on 6 October and 30 November 2015 were agreed as a correct record.

**32. 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 33 refers).

**33. Home to School Transport Appeals**

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

Resolved – (1) That, due to the exceptional circumstances outlined in the appeal, appeal number TA/15/330 be upheld and public transport be provided until the end of the academic year 2015/16.

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## **Section 4**

# **Children Services Bodies Minutes**

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**SCHOOLS FORUM**

**TUESDAY, 1 DECEMBER 2015**

PRESENT: -

**School Members:** Rhian Cockwell, Primary Headteacher  
Andrew Henstridge, Primary Headteacher  
Jackie Smith, Special Headteacher  
Wendy Conaghan, Academy Headteacher  
Ben Slater, EOTAS  
Alison Lowe, Primary Headteacher  
David Bell, Secondary Governor  
Annabelle Billett, Swindon College  
Claire Owens, Inclusion Manager  
Susan Smith, Primary Headteacher

**Non-School Members:** Kate Adams, Early Years Representative  
Peter Smith, Trade Unions

**Officers:** Peter Nathan, Head of Education  
Ian Burbidge, Head of Finance, Schools  
Anne Mackay, Finance Manager - Education

Apologies for absence were received from Charles Lay (Special Governor), Ray Williams (Primary Governor), Sue Banks (Secondary Headteacher), Andrew Miller (16-19 Partnership).

Councillor Fionuala Foley was also in attendance.

**18. Minutes of Previous Meeting**

Resolved: That the minutes of the meeting held on 6<sup>th</sup> October 2015 be confirmed and signed as a correct record.

**19. 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) his previous Education Other Than at School (EOTAS) and budget enquiry and (b) his outstanding enquiry regarding SEN funding modelling.

Response

The Chair thanked Mr Dixon-Patterson for his questions. The Chair and Mr Ian Burbidge, Head of Finance, Schools responded at the meeting.

**Special Resource Provision Funding Review**

The Forum considered a report submitted by Mr Ian Burbidge, Head of Finance, Schools, setting out the results of the Special Resource Provision (SRP) funding review. Mr Burbidge referred to the SRP review task group set up to consider options relating to the impact on the level of funding available to SRPs for the 2016/17 financial year. He thanked all schools involved in the data gathering, discussions, information provided and for their support and co-operation.

Mr Burbidge referred to the current situation and introduced the three options available for consideration by Forum members. The Forum considered the issues highlighted and vigorously discussed the options. At the invitation of the Chair, Mr Alastair Dixon-Patterson, Lydiard Park Academy asked if there were any management funding savings to be made in relation to this issue. Mr Alastair Dixon-Patterson further commented that the modelling system worked but if the overall budget was fixed, then individual bandings would need to be adjusted within the budget.

The Chair, Mr Burbidge and Mr Peter Nathan, Head of Education responded to comments regarding the following issues:

- The effect on funding between the primary and secondary settings if the Specific Learning Disabilities (SpLD) bandings went down one band and physical disabilities (PD) bandings were increased by one band.
- How all the options presented in the report would affect colleges.
- Confirmation that information regarding future funding costs be moderated by schools without SRP units attached to them to ensure costing and evaluation of data provided was uniform across all schools.
- Acknowledgement that further discussions would be required on whether the SRP funding process would be reviewed annually or, as historically, every three years.
- Option 4 – to provide contingency for SRP units by reducing allowances and removing the Autistic Spectrum Disorder (ASD) in an SRP.
- Importance of agreeing a funding process for one year at the next meeting of Schools Forum in January 2016 with the requirement to review the funding principals for future years.
- Clarification that SRP were commissioned services and a review of contracts would be required before any changes were implemented.

Resolved: That, the Head of Finance, School, together with the Special Resource Provision Task Group, be requested to submit recommendations on the preferred options to address the funding pressures being experienced by certain types of Special Resource Provision, at the next meeting of this Forum.

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

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## **WILTSHIRE & SWINDON FIRE AUTHORITY**

### **MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY held at the Wiltshire FRS HQ, Manor House, Potterne, Devizes on Wednesday 9 DECEMBER 2015**

**Present:** Cllrs C Devine (Chairman), E Clark, P Edge, Mrs M Groom, R Jones, J Knight, N Martin, G Payne, G Perkins, E Shaw, Mrs B Wayman

**52 Minutes of last meeting**

The minutes of the extraordinary meeting of the Authority held on 12 October 2015 were confirmed and signed.

**53 Apologies**

Apologies for absence were received from Cllrs C Newbury and J Tray.

**54 Members' interests**

The Chairman reminded members of the need to declare any interests which the Authority's Code of Conduct required to be disclosed, or dispensations granted by the Clerk to the Authority or by the Ethics Committee.

**55 Chairman's announcements**

- i. The Chairman referred to reports in the national press regarding attacks on firefighters elsewhere in the UK and assured members that no such incidents had been reported in Wiltshire and Swindon.
- ii. Members were reminded of the carol service on 17 December, of ID photos for the Dorset and Wiltshire Fire and Rescue Authority, and of the visit to the control centre at the end of the meeting.
- iii. The Chairman informed members that the Service's Rural Fire Safety team had been shortlisted for the Fire magazine's excellence in fire and emergency awards. He congratulated the team on reaching the finals and was sorry they had not won an award,

**56 Questions from the public**

There were no questions from the public.

**57 Programme and Scrutiny Board**

The minutes of the meeting of the Programme and Scrutiny Board held on 19 November 2015 were received.

**58 Finance Review and Audit Committee**

The minutes of the meeting of the Finance Review and Audit Committee held on 8 December 2015 were received.

**59 Revised Capital Programme 2015/16**

On considering a paper by the Brigade Manager, Governance and Assurance recommending amendments to the capital programme due to, inter alia, changing priorities, slippage in timescales, and re-assessment of need,

Resolved:

a) *To approve the revised capital programme for 2015/16 of £3.728m as set out in Appendix A of the paper presented; and*

b) *To approve, as a consequence of (a) above, the revised prudential indicators as set out in Appendix C of the paper presented.*

**60 Protection, prevention and operational delivery**

A short visual presentation was made.

**61 Firefighter Pension Scheme: Local Pensions Board**

The minutes of meetings of the Pensions Board held on 3 September and 24 November 2015 were received. The Board's terms of reference as appended to the minutes of the latter meeting were noted. It was also noted that Dorset and Wiltshire Fire and Rescue Authority would be required to establish a local pensions board in accordance with the relevant statutory regulations.

**62 Business continuity review**

On considering a paper by the Brigade Manager, People and Development providing a synopsis of a business continuity exercise undertaken by the Service earlier in the year,

Resolved:

a) *To note that, on the basis of the exercise, the Service believes its business continuity arrangements to be robust, and*

b) *To suggest that the outcome of future such exercises by the Service post-combination with Dorset should be subject to independent external scrutiny.*

**63 Combination with Dorset: update report**

A paper by the Chief Fire Officer & Chief Executive was received.

**64 Dorset and Wiltshire Fire and Rescue Authority**

The minutes of the meetings of the Dorset and Wiltshire Fire and Rescue Authority held on 23 October 2015 and of that Authority's Policy and Resources Committee held on 17 September and 5 November 2015 respectively, were received.

**65 Dissolution of Wiltshire and Swindon Fire Authority**

On considering a paper by the Acting Clerk, Chief Fire Officer and Treasurer,

Resolved:

a) *To note the paper and in particular that in accordance with the provisions of the Dorset and Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015:*

- *this Authority will cease to exist after 31 March 2016 and will not have any residual functions,*
- *the statutory responsibility for fire and rescue services in the geographical area hitherto covered by this Authority will be assumed by Dorset and Wiltshire Fire and Rescue Authority (DWFRA) as from 1 April 2016,*
- *all employees in post on 31 March 2016 will be transferred to the employment of DWFRA, and*
- *all property, rights and liabilities held or incurred by this Authority will be transferred to DWFRA.*

- b) *To note that no formal decisions by this Authority are required to give effect to the above.*
- c) *To approve the following programme of meetings for the remainder of this Authority's existence, subject in the case of the Staffing, Ethics, and Finance Review and Audit Committees to meetings being held only if there is business to transact:*
  - 21 January – Staffing Committee (provisional)
  - 17 February – Ethics Committee (provisional)
  - 3 March – Staffing Committee (provisional)
  - 17 March – Finance Review and Audit Committee (provisional) (2 p.m.)
  - 29 March – Programme and Scrutiny Board (10.a.m.)
  - 31 March – full Authority (10.30 a.m.)
- d) *To note that responsibility for approval of this Authority's accounts for the 2015/16 financial year will pass to DWFR.*
- e) *To authorise the Chief Fire Officer, Treasurer and Acting Clerk severally to take such action as may be required which is calculated to facilitate, or is conducive or incidental to, the dissolution of the Authority.*

#### **66 Commemorative events**

On report by the Chairman regarding proposals to mark 68 years of the Wiltshire Fire and Rescue Service (formerly known as the Wiltshire Fire Brigade),

##### Resolved:

- a) *In recognition of the Authority's gratitude to the staff of the Service, to approve expenditure not exceeding a total of £16,000 to enable staff at individual establishments or in individual departments to organise commemorative events.*
- b) *To note that a formal dinner event at an appropriate venue is planned for March, at no cost to the Authority.*

#### **67 Urgent business**

There was no urgent business.

(Duration of meeting: 10.30 to 11.45 a.m.)

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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 1230 hours on 23 October 2015 at the Milford Hall Hotel, Salisbury**

Members present: Cllr Mark Anderson, Cllr Les Burden, Cllr Mike Byatt, Cllr Ernie Clark, Cllr Ronald Coatsworth, Cllr Malcolm Davies, Cllr Christopher Devine, Cllr Peter Edge, Cllr Spencer Flower, Cllrs Mollie Groom, Cllr John Haines, Cllr Susan Jefferies, Cllr Bob Jones, Cllr Trevor Jones, Cllr John Knight, Cllr Rebecca Knox, Cllr Colin Lovell, Cllr Christopher Newbury, Cllr Graham Payne, Cllr Garry Perkins, Cllr Christopher Rochester, Cllr Ann Stribley, Cllr Joe Tray, Cllrs Bridget Wayman, Cllr John Wilson.

Officer attendance: CFO Darran Gunter (Chief Fire Officer - Designate), DCFO John Aldridge, Mr Phil Chow, Mr Derek James, Ms Jenny Long, Mr Jonathan Mair, CFO Simon Routh-Jones, Mrs Vikki Shearing, Mrs Jill McCrae,

Apologies: Cllr Abdul Amin, Cllr Beverley Dunlop, Cllr Phil Eades, Cllr Colin Jamieson, Cllr Ricky Rogers.

**1. Apologies**

- 1.1 Mrs Jill McCrae confirmed that apologies were received from Cllr Abdul Amin, Cllr Beverley Dunlop, Cllr Phil Eades, Cllr Colin Jamieson and Cllr Ricky Rogers.

**2. Code of Conduct and Declaration of Interest**

- 2.1 There were no disclosures of pecuniary interests under the Localism Act.

**3. Minutes of Shadow Dorset and Wiltshire Fire Authority meeting on 23 June 2015 and matters arising**

- 3.1 Cllr Rebecca Knox asked Members to review and approve the minutes of the previous meeting.
- 3.2 Cllr Bob Jones advised that point 12.1 requires to be updated as the point was raised by Cllr Phil Eades.
- 3.3 Cllr Christopher Rochester also noted a type within the attendees list referring to Mrs Christopher Devine, rather than Mr.

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- 3.4 Cllr Christopher Devine advised that he had requested for Members to be referred to in the minutes as Councillor (Cllr) rather than Mr and Mrs. A discussion took place regarding individual preferences with regards to this.
- 3.5 Mr Jonathan Mair advised that practice varies between Authorities and either method can be used and highlighted that a house-style should be developed for these meetings.
- 3.6 Cllr Graham Payne proposed the use of Councillor; this was seconded by Cllr Mark Anderson.
- 3.7 Cllr Rebecca Knox asked for all those in favour, with the exception of Cllr Ronald Coatsworth, Cllr Christopher Newbury and Cllr Trevor Jones who were not in favour and Cllr Sue Jefferies who abstained from the vote, all were in favour.
- 3.8 Mr Jonathan Mair confirmed that from now onwards the use of Mr and Mrs will cease for Members and Councillor (Cllr) will be used.
- 3.9 **Action: Mrs Jill McCrae to update the minutes with the points of accuracy noted.**

**4. Agree and adopt the initial governance programme, including the nominations to Shadow Committees**

- 4.1 Cllr Rebecca Knox introduced the paper and asked CFO Darran Gunter and Mr Jonathan Mair to go through the paper with the meeting.
- 4.2 CFO Darran Gunter explained the requirement for the paper and took Members through the key points. He went on to advise that the report is a result of several discussions involving the members and officers in workstream 1 and also as a consequence of discussions between officers and both internal and external auditors, all of whom provided their approval and support.
- 4.3 CFO Darran Gunter took the Members through the recommendations and asked for Members consideration.
- 4.4 A discussion took place on recommendation 8 and the timescale for review of the total number of Members assigned to the Dorset & Wiltshire Fire and Rescue Authority. Members were keen for this to take place in 2017 to be aligned with elections. Planning for this will need to begin in April 2016.
- 4.5 Cllr Rebecca Knox confirmed with the meeting that in principle Members agreed with the possibility of the review being implemented in 2017. This was agreed by the meeting.
- 4.6 Cllr Rebecca Knox went on to discuss recommendation 7, highlighting the current arrangements for Member Champions in Dorset. Cllr Devine challenged the need for Champions. CFO Darran Gunter also noted that Wiltshire also have Member Champions in place.

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- 4.7 Cllr Bob Jones advised that at present he is the Member Champion in Wiltshire for Equality and Diversity and went on to advise that he would advocate that Member Champions were put into place from the start.
- 4.8 Cllr Mike Byatt also agreed the need for Member Champions and proposed that all listed within the report were needed.
- 4.9 Cllr Christopher Devine indicated a need to nominate 2 Members as RDS Member Champions. Cllr Peter Edge confirmed that he would be happy to be an RDS champion and outlined his previous experience.
- 4.10 Cllr Mollie Groom noted that at present there was no mention of a climate change champion.
- 4.11 Cllr Rebecca Knox confirmed with the meeting their agreement to recommendation 7 and the implementation of Member Champions. This was agreed.
- 4.12 Cllr Bob Jones asked how nominations would be made. Cllr Rebecca Knox confirmed that this would be via each Fire Authority Chairman.
- 4.13 Cllr Rebecca Knox asked the meeting if there was anyone who wishes to discuss any of the other recommendations within the report (recommendations 1-6).
- 4.14 Cllr Mike Byatt asked for clarity on quorate and substitutes, highlighting that he would recommend using the principles of reserves rather than substitutes. Cllr Ernie Clark went on to query where as an independent he stands. Mr Jonathan Mair advised that as an independent at present he remains in the same position as all other Members as at present all are currently ungrouped. Mr Mair went on to advise that Members need to consider if they want political groups, but until such time as a decision is made all are considered ungrouped.
- 4.15 Cllr Christopher Newbury advised that he would like to go through each proposed committee and agree the terms of reference and appoint the Members. Cllr Rebecca Knox advised that Members would be appointed to main committees and area boards today which will take things through to 1 April 2016.
- 4.16 Cllr Christopher Devine queried with such a wide geographical area a solution for reserves/substitutes needs to be considered to ensure that Members do not travel to meetings to find they are not quorate. Cllr Rebecca Knox advised that the new Democratic Services role within the Service will ensure that good systems are in place.
- 4.17 Cllr Mark Anderson raised concerns with making nomination today due to absences and requested that this is completed by the Chairman outside of the meeting.
- 4.18 Cllr Christopher Devine referred Members to table 2.4 within the paper, noting that the Policy & Resources Committee is set, that those Members currently standing on the Finance and Audit Committee within the separate Authorities would move across and the Local Performance and Scrutiny Committees would consist of Members from the relevant Constituent Authorities.

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- 4.19 Cllr Spencer Flower agreed with Cllr Devine noting that this would be a sensible option as there would be an opportunity to reconsider at a later date.
- 4.20 Cllr Rebecca Knox confirmed with the meeting that these arrangements would be in place until 1 April 2016, as appointments cannot be made beyond this. Cllr Mark Anderson confirmed his agreement with this.
- 4.21 Cllr Trevor Jones suggested that the substitute arrangements and decisions could be worked through in workstream 1 meetings. Cllr Rebecca Knox proposed to the meeting that the decision on the use of substitutes or reserves and the details for this will be resolved in workstream 1. Cllr Christopher Newbury confirmed his agreement with the proposal, but requested that the Appeals committee required further consideration today or at the next Shadow Authority meeting.
- 4.22 Mr Jonathan Mair asked the meeting to confirm their approval of recommendation 1 in relation to the Policy & Resource Committee terms of reference, constitution and nominations. Members endorsed and approved the terms of reference and for the current constitution and membership to continue.
- 4.23 Mr Jonathan Mair asked the meeting to confirm their approval of recommendation 2 in relation to the four Local Performance and Scrutiny Committees terms of reference, constitution and nominations. Members endorsed and approved. Cllr Ann Stribley requested that quorum for Bournemouth and Poole should require at least 1 Member from each Council.
- 4.24 Mr Jonathan Mair asked the meeting to confirm their approval of recommendation 3 in relation to the Finance and Audit Committee terms of reference, constitution and nominations. Members endorsed and approved, with agreement for the current Membership to be used from each Authority.
- 4.25 Cllr Trevor Jones requested for workstream 1 to review the possibility of the Finance and Audit Committee completing a light touch review of the KPI's on page 9 of the paper. CFO Darran Gunter explained that this would require an increase in meetings over a 12 month period for the Finance and Audit Committee but that this could be discussed in workstream 1 if required.
- 4.26 Mr Jonathan Mair asked the meeting to confirm their approval of recommendation 4 in relation to the Appeals Committee terms of reference, constitution and nominations. Cllr Mark Anderson noted he would like either the chair or vice-chair to be required to attend appeal panels of 3. Cllr Peter Edge confirmed that this would be desirable. Mr Mair noted that this would be logical when hearing staff appeals. Cllr Christopher Newbury noted that at present Wiltshire do not have a chair or vice chair on this board.
- 4.27 Cllr Ann Stribley advised that Members on this committee should undertake the relevant training and complete refresher training every 18 months.
- 4.28 Cllr Rebecca Knox requested for 10 volunteers for the membership of the appeals committee until 1 April 2016, Councillors Mark Anderson, Ann Stribley, Ronald Coatsworth,

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Sue Jefferies, John Knight, Garry Perkins, Graham Payne, Peter Edge, Christopher Newbury and Bob Jones volunteered.

- 4.29 Mr Jonathan Mair confirmed the membership with the group and asked for Members to approve and endorse the recommendation. Members approved and endorsed.
- 4.30 Mr Jonathan Mair asked the meeting to confirm their approval of recommendation 5 in relation to a Standards Committee. Members approved and endorsed the recommendation that constituent authorities for each Member would be requested that their respective standards committees would hear and receive any matters arising as appropriate for Members of the Dorset and Wiltshire Fire Authority.
- 4.31 Cllr Christopher Newbury asked if there would be costs associated to this. Mr Jonathan Mair advised that he has written to each council regarding this and he advised it would be reasonable for any costs to be met by this Authority.
- 4.32 Cllr Rebecca Knox noted that due to the time it is recommended that, with Members permission, recommendation 6 should be looked at outside of the meeting and brought back as a stand alone paper on the 1 April 2016 meeting. This was agreed by Members
- 4.33 **Resolve – Members endorsed and approved the terms of reference, constitution and nominations to the Policy and Resources Committee, confirming that the membership would remain as current.**
- 4.34 **Resolve – Members endorsed and approved the terms of reference, constitution and nominations to the four Local Performance and Scrutiny Committees, confirming that Members would attend the committee within their relevant council area. For Bournemouth & Poole one Member from each should be present to constitute a quorum.**
- 4.35 **Resolve – Members endorsed and approved the terms of reference, constitution and nominations to the Finance and Audit Committee, confirming that the current membership within each current Fire Authority would be brought together as one committee.**
- 4.36 **Resolve – Members endorsed and approved the terms of reference, constitution and nominations to the Appeals Committee, confirming the membership as Councillors Mark Anderson, Ann Stribley, Ronald Coatsworth, Sue Jefferies, John Knight, Garry Perkins, Graham Payne, Peter Edge, Christopher Newbury and Bob Jones**
- 4.37 **Resolve - Members approved and endorsed that the Standards Committees of each Constituent Councils would with their agreement receive and hear matters for their Members of the Fire Authority.**
- 4.38 **Resolve – Members agreed for a single paper to be brought back to the 1 April meeting to confirm the arrangements for the Pension Board.**

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- 4.39 **Resolve – Members endorsed and approved the implementation of Member Champions within the Authority. Nominations would be completed by Cllr Knox and Cllr Devine outside of the main meeting.**
- 4.40 **Resolve – Members agreed in principle for the review of Members of the Fire Authorities to be in place by 2017.**
- 4.41 **Action – Recommendation 6 to be brought back as a stand alone paper on 1 April 2016.**
- 4.42 **Action – New Authority to review Committee memberships on the 1 April 2016. Process to be started in 2016, following the Shadow period.**

## **5. Response to consultation for closer collaboration between emergency services**

- 5.1 CFO Darran Gunter advised that the Shadow Authority had been given a small extension to complete a joint response to the consultation as their meeting was today the official closing date and took the meeting through the paper.
- 5.2 CFO Darran Gunter introduced the background to the report and key issues included.
- 5.3 Cllr Trevor Jones noted that he would suggest included within a covering letter a resistance to the Fire and Rescue being moved to the Home Office.
- 5.4 Cllr Christopher Devine queried the use of the word 'coterminosity' and his preference for plain English. Cllr Rebecca Knox advised that the wording and language used reflect those used by DCLG and the local government organisational debate.
- 5.5 Cllr Rebecca Knox thanked everyone for their involvement within compiling the response.
- 5.6 CFO Darran Gunter requested that a covering letter should be agreed by both Fire Authority Chairs. This was agreed.
- 5.7 Cllr Rebecca Knox confirmed with the meeting that Members approved and endorsed the recommendations of this report. Members agreed.
- 5.8 **Resolved – Members approved and endorsed the consultation response in Appendix A and agreed for the covering letter to be approved by both Fire Authority Chairs.**

## **6. Note statement of assurances of DFA and W&S CFA**

- 6.1 Cllr Rebecca Knox welcomed Alex McCabe from KPMG to the meeting.
- 6.2 Mr Alex McCabe introduced himself and gave a brief explanation for the requirement of a Statement of Assurance to be completed by Fire & Rescue Authorities. Mr McCabe refereed Members to the two documents published by Dorset Fire Authority and Wiltshire & Swindon Fire Authority and confirmed that KPMG, as external auditors for both Authorities,

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were asked to review and comment upon the robustness of these statements. Mr McCabe advised that KPMG are content that both documents reflect an accurate position of each Authority and had no significant issues to raise, he went on to note that KPMG were pleased to see a link between the two documents regarding confirmation of the combination and future challenges.

- 6.3 Cllr Trevor Jones queried the situation at present where both Services have different valuation processes for their estates. Mr Alex McCabe advised that this is considered within the next paper.
- 6.4 Cllr Rebecca Knox asked the meeting if there were any further questions regarding the Statement of Assurances'. As there were none, Cllr Rebecca Knox thanked Mr Alex McCabe and asked to move onto the next paper.

## **7. Note external audit reports for DFA and W&S CFA**

- 7.1 Mr Alex McCabe advised the meeting that as external auditors, KPMG, are required to provide an opinion on the statutory accounts for both Fire Authorities. In addition noting that they are also required to provide a value for money opinion, based on whether each Authority has appropriate controls in place to achieve value for money. Mr McCabe advised the meeting that an unqualified audit and value for money opinion has been issued for both Dorset Fire Authority and Wiltshire & Swindon Fire Authority.
- 7.2 Mr Alex McCabe advised that a risk has been raised in regards of the timings and two different ways in which the Services complete valuations of their properties and recommendations to resolve this have been made.
- 7.3 Mr Alex McCabe took the meeting through each Authorities audit reports.
- 7.4 Cllr Rebecca Knox thanked Mr McCabe for his reports and attendance.

## **8. Combination Programme Audit Report**

- 8.1 Cllr Rebecca Knox welcomed Mrs Melanie Watson from KPMG.
- 8.2 Mrs Melanie Watson advised the meeting of the purpose of the audit complete, highlighting that this was to ensure that appropriate arrangements were in place to manage the transitional programme and achieve successful combination on 1 April 2016. Mrs Watson also advised that this was necessary for KPMG, to further ensure arrangements under the value for money audit requirements.
- 8.3 Mrs Melanie Watson noted that in completing the audit KPMG were assured that comprehensive arrangements are in place and that the programme is robust and on track. Assurance was given to Members of the positive work.
- 8.4 Cllr Rebecca Knox thanked Mrs Melanie Watson for her report and reassurance.

## **9. Go Live Audit**

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- 9.1 CFO Darran Gunter advised the meeting that following the combination programme audit senior management have requested that a 'Go Live' audit be carried out by both Internal Auditors and the External Audit, to ensure that the programme is on track to meet the requirements of the combination for the 1<sup>st</sup> April 2016. CFO Gunter advised that this would be completed over the next couple of months with results due to the Service mid December and a report to Members in January.
- 9.2 CFO Darran Gunter introduced Mr Nick Hobbs, Senior Auditor from Swindon Borough Council. Mr Hobbs explained the joint approach with KPMG and South West Audit Partnership for the Go Live Audit confirming that a joint report will be produced for Members and presented in January 2016.
- 9.3 Cllr Christopher Devine asked if the scope of the finance section of the audit was wide enough to ensure that savings are being made. Mr Alex McCabe confirmed that KPMG were content that it does.
- 9.4 Cllr Trevor Jones praised the work so far on the combination programme.
- 9.5 Cllr Rebecca Knox thanked the Auditors for attending the meeting.

## **10. Date of next meeting**

- 10.1 Cllr Rebecca Knox thanked everyone for their attendance and closed the meeting confirming the date of the next Shadow Authority Seminar as 14 January 2016 1200hrs-1400hrs at Salisbury Race Course and the date of the next Shadow Authority meeting as 12 February 2016 also at Salisbury Race Course. .
- 10.2 Meeting closed at 1400hrs.

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