



SWINDON BOROUGH COUNCIL

Municipal Year 2016/17

Meeting of Council on Thursday, 10 November 2016

ITEM - MINUTES OF OTHER COUNCIL BODIES

SECTION 1 - SPECIAL, AUDIT AND STANDARDS COMMITTEES

1. Minutes of meeting Monday, 10 October 2016 of Special Committee (Pages 5 - 6)
2. Minutes of meeting Thursday, 15 September 2016 of Audit Committee (Pages 7 - 10)

SECTION 2 - OVERVIEW AND SCRUTINY COMMITTEES

3. Minutes of meeting Monday, 12 September 2016 of Scrutiny Committee (Pages 13 - 16)
4. Minutes of meeting Monday, 10 October 2016 of Scrutiny Committee (Pages 17 - 20)
5. Minutes of meeting Monday, 24 October 2016 of Scrutiny Committee (Pages 21 - 24)
8. Minutes of meeting Tuesday, 27 September 2016 of Adults' Health, Adults' Social Care and Housing Overview and Scrutiny Committee (Pages 25 - 28)
7. Minutes of meeting Wednesday, 14 September 2016 of Children's Health, Social Care and Education Overview and Scrutiny Committee (Pages 29 - 32)

8. Minutes of meeting Wednesday, 21 September 2016 of Growing the Economy Overview and Scrutiny Committee (Pages 33 - 36)
9. Minutes of meeting Monday, 26 September 2016 of Resources and Corporate Overview and Scrutiny Committee (Pages 37 - 38)
10. Minutes of meeting Wednesday, 28 September 2016 of Streetsmart, Highways and Communities Overview and Scrutiny Committee (Pages 39 - 44)

SECTION 3 - REGULATORY COMMITTEES

11. Minutes of meeting Tuesday, 13 September 2016 of Planning Committee (Pages 47 - 48)
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13. Minutes of meeting Wednesday, 28 September 2016 of Licensing Panel (Pages 53 - 56)
14. Minutes of meeting Friday, 30 September 2016 of Licensing Panel (Pages 57 - 62)
15. Minutes of meeting Friday, 30 September 2016 of Licensing Panel (Pages 63 - 68)
16. Minutes of meeting Tuesday, 4 October 2016 of Licensing Panel (Pages 69 - 74)

SECTION 4 - CHILDREN SERVICES BODIES

17. Minutes of meeting Tuesday, 18 October 2016 of Schools Forum (Pages 77 - 82)

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18. Minutes of meeting Thursday 1 September 2016 of Wiltshire Police and Crime Panel (Pages 85 - 90)

Section 1

Special, Audit and Standards Committee Minutes

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SPECIAL COMMITTEE

MONDAY, 10 OCTOBER 2016

PRESENT:- Councillors David Renard (Chair), Junab Ali, Steve Allsopp, Fionuala Foley, Jim Grant, Mary Martin, Des Moffatt and Garry Perkins.

Apologies for absence were received from Councillors Brian Ford, Russell Holland (Vice-Chair), Stan Pajak and Kevin Small.

7. Declarations of Interest

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

8. Minutes

Resolved –That the minutes of the meeting held on 4th July 2016 be confirmed and signed as a correct record.

9. Public Question Time

No public questions were asked under Standing Order 28.

10. Restructure of Children's Services Directorate

Further to Minute 25 of the Special Committee, and the decision to create a Children's Directorate service area, the Committee received a report of the Director of Children's Services on the proposed changes to the management structure within that Directorate. It was recognised that a robust management structure was required, one that reflected the responsibilities of the new service area and ensured there was capacity to deliver the Council's Vision, pledges and priorities and also the planned service improvements and savings programme.

Resolved – (1) That the Committee supports the creation of a new post of Head of Children, Families & Community Health, and agrees that this post be included in the Council's senior management structure, as set out in Appendix 2 to the report.

(2) That the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, be authorised to implement the new structure.

(3) That the Director of Law and Democratic Services be authorised to amend the Council's Constitution in accordance with the above decisions.

11. Changes to Chief Executive Reporting Structure

Further to Minutes 25 (2015/16) and 4, the Committee received a joint report of the Leader of the Council and the Chief Executive on the requirements for a further stage in the phased approach to the review of the required structure for the Council following the appointment of a new Chief Executive. The report sought authority to (i) alter reporting lines for the Director of Law and Democratic Services and Head of People, Performance and Engagement, from the Chief Executive to the renamed Corporate Director of Resources and Transformation, and (ii) transfer Section 151 responsibility from the former Director of Resources post to the revised Head of Finance role.

Members commented on the proposed changes to the breadth of responsibility and composition of the Corporate Management Team, and, in particular, on the attendance of the s151 Officer and the Monitoring Officer at Corporate Management Team meetings by invitation only on an ad hoc basis. The Chief Executive confirmed his firm commitment to ensuring these statutory officers, together with the statutory Director of Public Health, continued to have direct access to him as and when required. It was further noted that the existing Corporate Management Team structure would remain in situ until an appointment was made to the post of Corporate Director Resources and Transformation, and the Chief Executive confirmed that the Monitoring Officer would remain a member of the Corporate Management Team at least until then and the situation would be reviewed when the Corporate Director Resources and Transformation took up post. Members asked that the Chief Executive report back to the Special Committee on the effectiveness of the structure in facilitating representation with regard to s151 and Monitoring Officer functions.

Resolved – (1) That the proposed alteration in the reporting line for the Director of Law and Democratic Services, and the Head of People, Performance and Engagement, from the Chief Executive to the renamed Corporate Director of Resources and Transformation, be agreed.

(2) That the proposed alteration in the reporting line for the Wichelstowe Strategic Project, from the Corporate Director Resources to the Corporate Director of Economy, Regeneration and Skills, be agreed.

(3) That the post of the Head of Finance and Change be deleted and replaced with the post of Head of Finance, Section 151 Officer.

(4) That the proposed alteration in the reporting line for the Head of Transformation, from the previous Head of Finance and Change post to the Corporate Director of Resources and Transformation, be agreed.

(5) That the revised organisation chart attached to the report at Appendix 2 be agreed.

(6) That the Chief Executive be authorised to:

- a) implement the changes on a phased basis on such dates as he may determine, and
- b) appoint a specialist executive search agency to assist in the recruitment and selection of posts in the approved structure.

(7) That the Director of Law and Democratic Services be authorised to amend the Council's Constitution in accordance with the above decisions.

(8) That a progress report be made to a future meeting of the Committee on the effectiveness of the revised organisational structure.

AUDIT COMMITTEE

THURSDAY, 15 SEPTEMBER 2016

PRESENT:- Councillors Steve Weisinger (Chair), Nick Martin, Malcolm Davies, Mary Friend, Chris Watts and Des Moffatt

An apology for absence was received from Councillor Kevin Small.

14. Declarations of Interest

The Chair reminded Councillors to declare any known interests in any of the matters to be discussed at the meeting. No such declarations were made.

15. Public Question Time

There were no public questions.

16. Minutes

Resolved - That the minutes of the meeting held on 28th June 2016, be confirmed and signed.

17. Annual Statement of Accounts

The Committee received a report introducing the Council's Annual Statement of Accounts for 2015/16 (attached to the report at Appendix 1). The Corporate Director Resources, with the Finance Manager, Housing, Treasury and Growth, presented the report and the key points on the Final Accounts, summarising the main items impacting on the financial statements for 2015/16 and highlighting the material audit adjustments that had been made.

Following their presentation of the report, the Board Director and Finance Manager responded to members' specific queries and observations regarding the accounts.

Resolved – (1) That the report and the Annual Statement of Accounts 2015/16 (attached at Appendix 1 to the report), be approved.

(2) That the Corporate Director Resources and Mr Darren Stevens, the Council's Finance Manager, Housing, Treasury and Growth, and his team, be thanked for their hard work and diligence in compiling the Annual Statement of Accounts.

18. External Audit - findings

The Committee received a report of the Council's External Auditors, Grant Thornton, highlighting the significant findings arising from their audit of the Council's financial statements for the year ended 31 March 2016.

Elizabeth Cave, Director, (Grant Thornton), introduced the report, taking the Committee through the external auditors' key findings and responses in respect of

matters and risks identified at the planning stage of the audit, and additional matters that arose during the course of the work, and also the adjustments to the financial statements arising from the audit work and findings in respect of internal controls.

In particular, Ms Cave drew the Committee's attention to key messages arising from the audit of the Council's financial statements which were:

- £11m of heritage assets which were included in the Council's accounts but were on loan from other entities.
- One school which had converted to an Academy during the year but had not been disposed of in the accounts.
- A number of reclassification adjustments between headings in the accounts.

Ms Cave concluded her presentation by guiding members through the recommendations and proposed management responses set out in the Action Plan (attached to the report at Appendix A).

Resolved – (1) That the report be noted.

(2) That the External Auditors' opinion that for the year ended 31 March 2016 the Council's financial statements:

present a true and fair view of the financial position of the Authority and Group as at 31st March 2016 and of the Authority's and Group's expenditure and income for the year then ended; and

have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2015/16 and applicable law, be welcomed.

(3) That a further report concerning the progression of items in the Action Plan be submitted to this Committee in six months time.

19. Risk management: ICT presentation

The Council's Head of ICT, Glyn Peach gave a presentation identifying risks, causes and consequences of the failure of a business critical part of the IT system, including the loss or disclosure of personal data.

He briefly described the following mitigating actions:

- Deliver training to senior management on information asset ownership and embed processes and principles
- Deploy policy management solution to ensure all staff are trained in information governance
- Implement new firewalls to address the appropriate threat levels
- Achieve Public Service Network accreditation
- Replace telephony system with a more resilient system
- Implement new backup solution
- Migrate failing systems from the Capita Public Cloud
- Adopt Public Cloud infrastructure to add high availability

Resolved – That the Council's Head of ICT, Glyn Peach be thanked for a useful and informative presentation.

20. Internal Audit report - Isambard Community School

The Head of Internal Audit submitted a report providing the Committee with an update on Isambard Community School's progress in relation to the two remaining key objectives outstanding from the first follow on audit review of the School's audit controls. The key finding from the second follow on audit was that the School had made significant improvements to its internal control arrangements since the first audit was carried out in 2014/15.

Mr Mark Edwards, Chair of Governors of Isambard Community School attended the meeting and replied to questions from Councillors concerning the School's audit controls.

Resolved – That the report be noted.

21. Head of Audit Annual Report

The Committee received the Head of Internal Audit's Annual Report for 2015/16. It was noted that it was a requirement of the Public Sector Internal Audit Standards that the Head of Internal Audit deliver an annual internal audit opinion and report that could be used by the organisation to inform its governance statement and that the annual internal audit opinion must conclude on the overall adequacy and effectiveness of the organisation. The Annual Report provided the Committee with assurance from the Head of Internal Audit regarding the work of the Internal Audit section and his opinion with regard to the Council's overall arrangements for internal control.

Resolved – That the report and, in particular, the Head of Internal Audit's overall opinion that the Council's internal control arrangements relating to its main financial systems during 2015/16 were found to be satisfactory, resulting in an overall risk assessment to the Council as being 'moderate' be noted.

22. Annual Governance Statement

Further to Minute 11, the Committee received the Annual Governance Statement (AGS) 2015/16 for approval. The AGS is the formal statement that recognises, records and publishes an authority's governance arrangements. It was noted that the draft Statement had been approved by the Committee at its meeting on 28th June 2016 and that no additional items for inclusion in the statement had been identified at that meeting or subsequently.

Resolved – That the Annual Governance Statement, appended to the report, be approved for signing by the Leader of the Council and the Chief Executive.

23. PSIAS - external assessment

The Head of Internal Audit submitted a report concerning the requirement for an external assessment of internal audit which must be conducted at least once every five years by a qualified, independent reviewer external to the organisation.

The Committee, at its meeting on 23rd February agreed that the external assessment of the Council's Internal Audit function would be carried out by the Chief Internal Auditor at Bristol City Council. The report contained the results of that external assessment.

Resolved – That the outcome of the external assessment of the Council's Internal Audit section be noted.

24.

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 June 2016, progress made against the Annual Internal Audit Plan and other key issues.

Resolved – That the report be noted.

Section 2

Overview and Scrutiny Committee Minutes

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SCRUTINY COMMITTEE

MONDAY, 12 SEPTEMBER 2016

PRESENT:- Councillors Kevin Parry (Chair), Emma Bushell, Mark Dempsey, Emma Faramarzi, John Haines, Gemma McCracken, Cathy Martyn, Des Moffatt, James Robbins, Caryl Sydney-Smith and Chris Watts.

Councillors David Renard (Leader of the Council), Oliver Donachie (Cabinet Member for Housing and Homelessness), Toby Elliott (Cabinet Member for Strategic Planning), Brian Ford (Cabinet Member for Adults' Health and Social Care), Dale Heenan (Cabinet Member for Sustainability, Highways, and Transport), Russell Holland (Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services), Mary Martin (Cabinet Member for Communities) and Keith Williams (Cabinet Member for StreetSmart).

Apologies for absence were received from Councillors Robert Wright (Chair), Claire Ellis and Vera Tomlinson.

22. Election of Chair

That Councillor Kevin Parry be appointed Chair for this meeting.

23. Declarations of Interest

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

Councillor Toby Elliott made a personal, non-prejudicial declaration of interest in respect of agenda item (5) Consideration of Cabinet Decisions, Minute 42 - Budget Management 2016-17 and 2016 - 2020 Efficiency Statement as he is employed by Network Rail.

24. Public Question Time

Mr Brian Cockbill, a local resident, asked a question regarding the Highway and Transport public survey undertaken by MORI on behalf of the Council. The Chair thanked Mr Cockbill for his question and advised that a written answer would be provided.

25. Minutes

Resolved – That the minutes of the meeting held on 22nd August 2016, be confirmed and signed as a correct record.

26. Consideration of Cabinet Decisions

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 7th September 2016.

42. Budget Management 2016-17 and 2016-2020 Efficiency Statement

Councillor David Renard, Leader of the Council and Chair of the Cabinet, responded to questions put by Councillors Gemma McCracken, Mark Dempsey, Des Moffatt and Chris Watts on the following matters:

- The Business Improvement District and the prospects of reviewing or extending its boundary.
- The expectation of potential changes to the funding and income of Business Improvement District once the new business rate relief policy comes into effect in April 2017.
- The pressures being experienced by Children Services and potential overspend.
- The one-off funding for Waste Disposal.
- The flexible use of capital receipts enabling the Council to fund certain revenue expenditure projects that are forecast to generate on-going savings.
- The development and management of suitable housing, funded from the Housing revenue Account to relieve pressure on the general fund.
- The funding stream allocated for the development of Akers Way highways project.

Resolved – That Minute 42 of the Cabinet be noted.

43. Apprenticeships and the Apprenticeship Levy

Councillor Russell Holland, Deputy Leader of the Council, Vice-Chair of the Cabinet and Cabinet Member for Finance and Corporate Services, responded to questions put by Councillors Gemma McCracken and Emma Bushell on the following matters:

- The potential target groups being encouraged to apply for apprenticeships in any recruitment campaign.
- The financial and logistical challenges facing apprenticeships and how they would be funded.

Resolved – That Minute 43 of the Cabinet be noted.

44. A Smokefree Bus Station

Resolved – That Minute 44 of the Cabinet be noted.

45. Local Bus Services and Strategy Review

Resolved – That Minute 45 of the Cabinet be noted.

46. School Place Planning Update 2016

Resolved – That Minute 46 of the Cabinet be noted.

47. Swindon Education Improvement Strategy

The Head of Education Services, responded to questions put by Councillors Gemma McCracken, Mark Dempsey and Chris Watts on the following matters:

- The School Strategy Board and the impact it has had on improving education in Swindon.
- The recent primary exam results reported by the Department for Education, reasons for performance issues and the possible future impact on schools in Swindon.
- The resources available to deliver the Education Improvement Strategy and how improvements in education would be measured.
- The resources available to maintained schools and academies.

Resolved – That Minute 47 of the Cabinet be noted.

48. Regulation of Investigatory Powers Act 2000 – Inspection report from the Office of Surveillance Commissioners

Resolved – That Minute 48 of the Cabinet be noted.

49. References from other Council Bodies – Health and Wellbeing Board and Community Safety Partnership

Resolved – That Minute 49 of the Cabinet be noted.

50. Annual Review of Local Ombudsman Complaints

Resolved – That Minute 50 of the Cabinet be noted.

51. Wichelstowe District Centre

Resolved – That Minute 51 of the Cabinet be noted.

27. Cabinet Member Question and Answer Session - Cabinet Member for Strategic Planning

Councillor Toby Elliott, Cabinet Member for Strategic Planning, was in attendance and presented to the Committee a detailed report summarising progress and performance in respect of each of the following service areas within his portfolio of responsibility:

- Strategic Planning and Development Framework Planning
- The New Eastern Villages

- Neighbourhood Planning
- Building Control and Local Land Charges
- Housing Strategy
- Design –based consultancy
- Superfast Broadband
- Wichelstowe (Commercialisation)

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

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

- The sales figures for superfast broadband in north Swindon.
- The competition generated by suppliers of superfast broadband and the impact on the Council's commitment with Broadband Delivery UK.
- The delivery of funding for vital infrastructure at an early stage of development.
- The roll out plan for superfast broadband for wards in Swindon.
- The important role played by the Council's Building Control Team.
- The use of bespoke superfast broadband installed in new housing developments in East Wichel, and its installation in new housing developments in Middle Wichel.

Resolved – (1) That Councillor Elliott 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.

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

28. Work Programme 2016/17

The Committee considered a report of the Director of Law and Democratic Services setting out the topics for inclusion in the 2016/17 Scrutiny Work Programme as agreed by the Committee at its meeting on 20th June 2016.

Resolved – That the draft work programme 2016/17 be noted.

29. 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 be noted.

SCRUTINY COMMITTEE

MONDAY, 10 OCTOBER 2016

PRESENT:- Councillors Robert Wright (Chair), Emma Bushell, Mark Dempsey, Emma Faramarzi, Cathy Martyn, Des Moffatt, Kevin Parry, Vera Tomlinson and Chris Watts

Councillor Garry Perkins (Cabinet Member for the Economy, Regeneration, and Skills)

Apologies for absence were received from Councillors Claire Ellis (Vice-Chair), John Haines, Gemma McCracken and James Robbins

30. 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 Kevin Parry made a personal, non-prejudicial declaration of interest in respect of agenda item (5) Cabinet Member Question and Answer Session – Cabinet Member for Economy, Regeneration and Skills as he is employed by Honda and is a Honda Pension Trustees Director.

31. Public Question Time

Mr Brown, a local resident and business owner, asked a question regarding discussions between Network rail, the Council and Tenants on the future of the Carriageworks Estate. Councillor Perkins, the Cabinet Member for Economy, Regeneration and Skills, responded at the meeting and also agreed to provide a written response in 10 working days.

Mr Gavin McCracken, a local resident and business owner, had submitted a question regarding discussions between Network rail, the Council and Tenants on the future of the Carriageworks Estate. As Councillor Perkins, the Cabinet Member for Economy, Regeneration and Skills, had responded to a similar question, as detailed above, at the meeting, Mr McCracken did not ask the question and it was agreed that the written response to Mr Brown would also be provided to Mr McCracken within 10 working days.

Mr Jeremy Waldron, a local resident, had submitted written questions about the funding of a number of highway projects and suggestions about budget savings. As Mr Waldron was not present, the Chair requested that a copy of the written answers be sent to him.

32. Minutes

Resolved – That the minutes of the meeting held on 12th September 2016, be confirmed and signed as a correct record.

33. Cabinet Member Question and Answer Session - Cabinet Member for Economy, Regeneration and Skills

Councillor Garry Perkins, Cabinet Member for Economy, Regeneration and Skills, was in attendance and presented to the Committee a detailed report summarising progress and performance in respect of each of the following service areas within his portfolio of responsibility:

- Economic Development
- Museums, including Steam
- Commercialisation of services
- Arts and Culture
- Community Heritage
- Regeneration
- FSL Ltd Client Lead Member
- Strategic (Commercial Property Portfolio)
- Adult Learning
- Tertiary Education
- Skills
- Specific Responsibility for Lydiard Park Project
- Country Parks (securing sustainable uses)
- Strategic Parking assets

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

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

- Traffic congestion in the vicinity of the former Even Swindon Infant School site and the former Rodbourne Farm allotment site, and how this would be taken into account during the planning process.
- The Car Parking Strategy, its impact on North Swindon and the remainder of Swindon as a whole, and potential solutions of how to overcome the issues experienced by residents unable to park outside their homes.
- The possibility of implementing long-standing parking schemes for residential areas experiencing parking problems.
- The new bus station and the potential for a taxi rank being incorporated into the design.
- The use of town centre multi-storey car parks for resident parking as a funding solution for parking schemes in other residential areas.
- The legal powers available to the Council to enforce parking solutions and how these could influence the planning process.
- Inward investment to deliver new leisure facilities.
- The University Technical College and its published exam results.

- The support being offered to the development of a regional leisure destination at North Star and the associated traffic implications.
- The Business Engagement and Retention service as a first point of contact for businesses.
- The commercial leadership of the Council and Forward Swindon Limited and how the partnership selects and influences development projects.
- The employment opportunities for those undertaking apprenticeships.
- Inward business investment and the availability of employment land.
- Further information requested about the 10 significant foreign direct investments in Swindon during 2015/16.
- The Swindon Wiltshire Local Enterprise Partnership (SWLEP) bid for a Higher Education Centre and potential outcomes depending on the bids success.
- The timescales for the SWLEP, Wiltshire Council, Gloucestershire Council and Gloucestershire LEP Post 16 Area Review.
- The outcome of proposals for a Centre for Sustainable Technologies in Swindon College.
- The quality of the retail offer in Swindon Town Centre and the need to attract high end retail shops.
- The Council subsidies to the existing and new Swindon Museum and Art Gallery.
- The success and performance of Swindon town centre when compared to other similar sized towns and the income generated by the town centres retail offer.
- The Councils policy on Pop-Up shops and how established businesses are protected.

Resolved – (1) That Councillor Perkins 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.

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

(3) That Forward Swindon Limited prepare a presentation to a future meeting of the Committee on the Town Centre Masterplan, along with the design element documents.

34. Scrutiny Committee Annual report 2015/16

The Committee considered its Annual Report for 2015/16 prepared by the Director of Law and Democratic Services.

The Annual Report highlighted the work of the Scrutiny Committee and its five Overview and Scrutiny Committees during the Municipal Year 2015/16, in their role of supporting the Council's decision-making and policy development processes and the work of the Cabinet and the Council as a whole.

The Chair of the Scrutiny Committee explained in his foreword to the report that the Scrutiny Committee recommendations are relied on to ensure Swindon's diverse needs are accounted for in these difficult and transitional times. He referred to the new ways of working with the challenge of ensuring resilience with excellence, the introduction of 'Pre-Scrutiny' and a re-focus on the Cabinets Work Plan. The Committee noted that the public role of the Overview and Scrutiny function was one

area for improvement. In light of this, members felt that there needed to be an element of reflection of how Scrutiny in Swindon could be more effective and the structures currently in place remain fit for purpose.

The Committee thanked the Director of Law and Democratic Services for a very good report that highlighted the work of Scrutiny in Swindon.

Resolved – (i) That the Scrutiny Committee Annual Report 2015/16 be noted and referred to Full Council for information.

(2) That arrangements are made for a workshop, open to all members of the Council, to consider improvements to the Scrutiny process in Swindon. The workshop to be held prior to a future Scrutiny Committee.

35. Work Programme 2016/17

The Committee considered a report of the Director of Law and Democratic Services setting out the topics for inclusion in the 2016/17 Scrutiny Work Programme as agreed by the Committee at its meeting on 20th June 2016.

Resolved – That the draft work programme 2016/17 be noted.

36. 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 of outstanding issues and member requests for information be noted.

SCRUTINY COMMITTEE

MONDAY, 24 OCTOBER 2016

PRESENT:- Councillors Robert Wright (Chair), Emma Bushell, Claire Ellis (Vice-Chair), Emma Faramarzi, Gemma McCracken, Cathy Martyn, Des Moffatt, James Robbins, Vera Tomlinson, Chris Watts, Peter Watts and Steve Weisinger

Councillors David Renard (Leader of the Council), Russell Holland (Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services), Toby Elliott (Cabinet Member for Strategic Planning), Fionuala Foley (Cabinet Member for Children's Services), Brian Ford (Cabinet Member for Adults' Health and Social Care), Mary Martin (Cabinet Member for Communities) and Garry Perkins (Cabinet Member for the Economy, Regeneration, and Skills)

Apologies for absence were received from Councillors Mark Dempsey and Kevin Parry.

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.

Councillor Gemma McCracken made a prejudicial declaration of interest in respect of Agenda Item No. 4 – Consideration of Cabinet Decisions – Minute 61 – Swindon Town Centre Property Acquisition and Disposal as she rents a property in the Town Centre. Councillor McCracken left the meeting during the consideration of this matter.

38. Public Question Time

Mr Cockbill, a local resident, asked a question regarding the financial aspects of the Community Governance Review and the transfer of services to Parish Councils. Councillor Renard, Leader of the Council, responded at the meeting and also agreed to provide a written response in 10 working days.

Mr Cockbill asked a supplementary question about Electoral Services. The Director of Law and Democratic Services agreed to investigate the issue raised and provide Mr Cockbill with a response.

39. Consideration of Cabinet Decisions

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 19th October 2016.

57. 2016-17 Budget Management, 2017-18 Draft Budget and Medium term Resourcing Plan

Councillor Russell Holland, Cabinet Member for Finance and Corporate Services, responded to questions put by the Chair and Councillors Des Moffatt, Gemma McCracken, Jim Robbins and Chris Watts on the following matters:

- The financial stability of Swindon Borough Council compared to other Local Authorities.
- The proposed increase in rates in 2017/18 for allotments and the annual collection of green waste.
- The implications of the transfer of garages from the Housing Revenue Account to the General Fund.
- The consultation on the removal of Council Tax discount for empty and unfurnished properties.
- The financial position of Public Power Solutions and the future challenges due to the Brexit vote.

Resolved – That Minute 57 of the Cabinet be noted.

58. *Community Governance Review*

Councillor David Renard, Leader of the Council, and Mary Martin, Cabinet Member for Communities, responded to questions put by the Chair and Councillors Des Moffatt, Vera Tomlinson, Jim Robbins, Chris Watts and Gemma McCracken on the following matters:

- The precept for Band D properties and how this would be calculated.
- The consequences of boundary changes and the impact on the number of Band D properties and number of residents in a particular parished / unparished area.
- The proposed new parishes and suggestion that 5 ward members make up the membership of the Shadow Parish Councils.
- The process for distributing the transitional funding of £3m between the Parish Councils.
- The need for further consultation on the proposed changes to the boundary through the Abbey Meads Village.
- The transfer of assets and the possibility of condition surveys being made available to Parish Councils.
- The possibility of Parish Council's making a charge for the use of its building by the Local Authority.
- How unexpected costs to parish Council's would be funded.

Resolved – That Minute 58 of the Cabinet be noted.

59. *Free School Bids - Update*

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

- The new primary school at Abbey Farm and details about one of the applicants bidding for the school.
- The use of Section 106 funding along with other funding streams to support Free Schools.
- The infrastructure for north Swindon developments and the impact of Section 106 funding.

- The establishment of alternative educational provision for secondary aged children with Social, Emotional and Mental Health difficulties.
- The possibility of applications being received for schools that were not free schools.

Resolved – That Minute 59 of the Cabinet be noted.

60. Chapel Farm and Other Swindon Solar Schemes

Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, responded to questions put by the Chair and Councillors Vera Tomlinson, Jim Robbins and Cathy Martyn on the following matters:

- The availability of shares for the Chapel Farm Solar Scheme and cost.
- The non-viability of the A419 Solar Sound Barrier and potential to lobby the Government.
- The potential for the sound barrier to be funded through Solar Farms and other energy storage schemes.
- The use of derelict land in the vicinity of the A419 for a Solar farm to fund a barrier for the A419.
- The operation of Community Interest Companies in relation to Solar Farms.

Resolved – That Minute 60 of the Cabinet be noted.

61. Swindon Town Centre Property Acquisition and Disposal

Councillor Garry Perkins, Cabinet Member for Economy, Regeneration and Skills, responded to questions put by the Chair and Councillor Jim Robbins on the following matters:

- The funding for the redevelopment of town centre sites and future planning applications.
- The potential for future land swaps.
- The location of an iconic bridge for the North Star development.

Resolved – That Minute 61 of the Cabinet be noted.

40. Work Programme 2016/17

The Committee considered a report of the Director of Law and Democratic Services setting out the topics for inclusion in the 2016/17 Scrutiny Work Programme as agreed by the Committee at its meeting on 20th June 2016.

The Chair reported that the Question and Answer Session with Councillor Keith Williams, the Cabinet Member for Streetsmart, due to be considered at this meeting had been rescheduled for 13th February 2017 as Councillor Williams was out of the country on business. The Chair invited officers to consider the use of video links in these circumstances in the future. The Chair also highlighted the opportunity for Members to be involved in pre-Scrutiny due to the delay in the consideration of the report.

Councillor Moffatt expressed a concern about the progress and sustainability of the proposed regional leisure destination at North Star and asked for representatives of the external company and council officers to update this Committee at a future meeting.

Resolved – (1) That the draft work programme 2016/17 be noted.

(2) That officers consider the benefits of using video link and how its use could be applied for future council meetings.

(3) That officers and representatives of Moiri be invited to give an update on the progress and sustainability of the proposed regional leisure destination at North Star to a future meeting of the Scrutiny Committee.

41. 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.

Councillor McCracken referred to the requirement that responses to public questions be received within the ten day deadline and that these be circulated to Scrutiny Committee members.

Resolved – (1) That the report on the status of outstanding issues and member requests for information be noted.

(2) That the requirement for responses to public questions be received within the ten day deadline and circulated to Scrutiny Committee members be noted.

**ADULTS' HEALTH, ADULTS' CARE AND HOUSING OVERVIEW AND SCRUTINY
COMMITTEE**

TUESDAY, 27 SEPTEMBER 2016

PRESENT:- Councillors Claire Ellis (Chair), Steve Allsopp, Alan Bishop, Steph Exell, Mary Friend, Caryl Sydney-Smith, Steve Weisinger, Julie Wright and Robert Wright.

Apologies for absence were received from Mark Edward (Swindon Healthwatch).

Also Present: Sue Wald (Director, Adult Social Care), Gill May (Executive Nurse at NHS Swindon Clinical Commissioning Group), Kevin McNamara (Director of Strategy, Great Western Hospital), Hilary Walker (Chief Nurse, GWH).

12. 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.

13. Minutes

Resolved -That the minutes of the meeting held on 21st June 2016 be confirmed and signed as a correct record.

14. Public Question Time

In accordance with Standing Order 28, Mr Cockbill, of 44 Stratton Road, Swindon, submitted questions regarding the future of SEQOL and its integration with the Great Western Hospital and the Council.

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

15. Dr Peter Crouch

Mrs Gill May, Executive Nurse, Clinical Commissioning Group, advised the meeting of the untimely death of Dr Peter Crouch. The Chair, on behalf of the Committee, extended condolences to his family.

16. NHS Swindon Clinical Commissioning Group

Ms Gill May, Executive Nurse at NHS Swindon Clinical Commissioning Group (CCG) presented a report providing an update on performance and key issues relating to the service. She referred to the procurement of Community Services which was awarded to Great Western Hospital (GWH) and to the governance of the transition processes. Ms May explained how SEQOL staff would be incorporated within GWH and Swindon Borough Council and confirmed that services would not be affected. Ms May also referred to the Primary Care Procurement process that had been undertaken, the Recruitment video developed outlining reasons to consider becoming a general practitioner (GP) in Swindon and to the new Prescription Ordering Direct (POD) Services available at six practices in Swindon that allowed patients to talk to pharmacists regarding their medication.

Ms May, with Kevin McNamara, Director of Strategy, Great Western Hospital, Ms Hilary Walker (Chief Nurse, Great Western Hospital) and Mrs Sue Wald (Director, Adult Social Care) responded to members' questions and comments on the following:

- Surgeries' promotion of the POD service.
- The time taken for SEQOL to undertake assessments, particularly for those patients towards end of life.
- Addressing the difficulties for patients calling surgeries and having to wait on the "triage line" for a considerable time.
- Confirmation that pharmacist were able to support GPs through the POD services. Members noted the collaborative working partnership between surgeries and pharmacists.
- The review of all community nurse caseloads following the transfer of services from SEQOL to GWH.
- Understanding the cultural shift for staff transferring from SEQOL to GWH and how this would impact staff.
- The training of staff delivering the POD service and reasons for the delay in implementing the service.
- The financial governance of SEQOL, the reasons for awarding the SEQOL contract to the Great Western Hospital and the future financial impact this would have on GWH.
- The number of providers that submitted a bid for the SEQOL contract and confirmation that the SEQOL budget would be ring-fenced for community health services.

Resolved – (1) That the report be noted.

(2) That the Executive Nurse at NHS Swindon Clinical Commissioning Group (CCG) be requested to update the Committee regarding the POD service at a future meeting of this Committee.

(3) That further to (2) above, the Chief Pharmacist helping to implement the POD service be invited to a future meeting of this Committee.

17. Great Western Hospitals NHS Foundation Trust Update

Mr Kevin McNamara, Director of Strategy at the Hospital, presented a report by the Chief Executive of the Great Western Hospital (GWH) NHS Foundation Trust on key issues and developments at the Great Western Hospital. Mr McNamara advised that the report highlighted matters of significance, including (i) staffing levels, (ii) the improvements and challenges for the Emergency department, (iii) the junior doctors' industrial action, (iv), GWH as the chosen provider for adult community healthcare, (v), recognition by the Royal College of Physicians of the high quality service provided by the Endoscopy Unit, and regarding (vi) the exemplary care given to cardiac patients.

Mr McNamara introduced Ms Hilary Walker, Chief Nurse at the Hospital who gave a presentation on the Care Quality Commission (CQC) report. Ms Walker advised that the presentation centred on progress made on the CQC's recommendations following their inspection.

Following the presentation of their report, Mr McNamara, Ms Walker and Ms Gill May, Executive Nurse at NHS Swindon Clinical Commissioning Group, responded to Member's questions and comments on the following issues:

- Overcoming communication issues for nursing staff whose first language is not English.
 - Non-UK qualifications and the need to ensure uniformity of standards.
 - Apprenticeships being promoted at GWH.
 - Work being undertaken to retain nurses in Swindon, particularly after they had been trained.
 - The effectiveness of Mental Health Liaison Service located in the Accident and Emergency (A&E) Department.
 - The recruitment of a Help Care Assistant to help families and staff working in the Paediatric waiting room.
 - GWH's response to the volume of demand for beds by the A&E Department and the impact on routine procedures.
 - The location and use of the Discharge Lounge by patients.
- Resolved – (1) That the report be noted.
(2) That the Committees' support.

18. Avon & Wiltshire Partnership NHS Trust

The Committee received a report by Newlands Anning, the Managing Director, Avon and Wiltshire NHS Partnership Trust (AWP) outlining challenges and achievements for the organisation.

Resolved: (1) That the report be noted.

(2) That the Committee noted the absence of a representative from the Avon and Wiltshire Partnership NHS Trust.

(3) That, if required, Members of the Committee be requested to submit any questions to the Committee Officer for circulation to the Trust.

19. Performance for Adult Social Care Commissioning

Mrs Sue Wald, the Director of Adult Social Services submitted a report updating the Committee on the performance in Adult Services for Quarter 4 of 2015/16. The Director explained that the report had been structured to highlight the strengths and challenges of the work that had been undertaken, making specific reference to the challenges of clients with complex needs who required specialist care packages or placements.

The Director referred to the continued collaborative work with the Clinical Commissioning Group, Great Western Hospital, SEQOL and Wiltshire Council regarding delayed transfer of care. Members noted the financial demand in Adult Social Care and the high expenditure of the Learning Disability service as compared to other local authorities. The Director referred to the effective management of admissions to residential and nursing care which was below target. Members further noted the work being undertaken following the integration of SEQOL staff into the Council and how a review of services would be undertaken to ensure patients were individually supported when leaving the hospital with a tailored service.

The Director, with Mr Kevin McNamara, Director of Strategy, Great Western Hospital, responded to questions and comments from the Committee regarding:

- The recruitment of social workers and assistant care managers.
- The review of the waiting list for assessments to be undertaken following the integration of SEQOL.
- Measures to address safeguarding issues for patients and staff.

- Support for hospital patients in quitting smoking for, at least, the duration of their stay.

Resolved – That the report be noted.

20.

End of Life Care

Ms Gill May, Executive Nurse at NHS Swindon Clinical Commissioning Group (CCG) presented a report detailing the end of life care of patients in Swindon. explained the definition of end of life from a clinical perspective. The Committee was advised that in Swindon, there were higher levels of emergency hospitalisation in the final months of life than the national average despite there being higher levels of deaths at home than average and that this could be addressed through local service development.

Ms May referred to the national guidance and the work undertaken by commissioners, particularly the “Conversation Project” undertaken with SEQOL and Great Western Hospital. This project allowed staff to engage with patients and carers earlier and involve them by having meaningful and effective conversations about end of life care. The Committee noted the impact services provided had on patients and family and explained that a single plan record for end of life care in Swindon was being developed. Ms May confirmed that the Clinical Commissioning Group had signed up to the “Dying Well Charter”.

Ms May responded to members’ questions and comments on the following:

- The importance of documenting wishes and planning in advance to ensure that end of life care truly reflected ones’ requests.
- The process undertaken to ensure relatives were fully informed and participating in decisions made.
- Confirmation that professionals work in the best interest of patients when they are near end of life.

Resolved – That the report be noted.

21.

Work Programme 2016/17

The Committee considered a report by the Director of Law and Democratic Services on the results of the work programme consultation and the suggested priorities for the work for the Municipal Year, 2016/17.

Resolved – (1) That the report be noted.

(2) That a report regarding work being undertaken by various agencies to address isolation be submitted at a future meeting.

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

WEDNESDAY, 14 SEPTEMBER 2016

PRESENT:- Councillors Gemma McCracken (Chair), Fay Howard, Colin Lovell, Teresa Page, Barbara Parry, Carol Shelley, Gary Sumner and Nadine Watts. Alison Paul (Swindon Association of Special Schools Headteachers), Steve Colledge (Swindon Association of Secondary Headteachers), Gary Evans (Swindon Association of Primary Headteachers), Liz Townend (Bristol Diocese), Mark Edwards (Healthwatch) and Doug Morris (Swindon Parent and Cares Group).

An apology for absence was received from Councillor Malcolm Davies.

Also Present: Councillor David Renard, Leader of the Council and Fionuala Foley, Cabinet Member for Children's Services. Peter Nathan (Head of Education), Maria Young (Interim Head of Children, Families and Community Health), Lyn Frith (Commissioner, Education), Mark Green (Integrated Service Manager), Gill May (Executive Nurse at NHS Swindon Clinical Commissioning Group) and Cherry Jones (Director of Public Health).

10. 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 Barbara Parry declared personal and non-prejudicial interest in her capacity as an employee at Uplands Educational Trust.

Councillor Carol Shelley declared personal and non-prejudicial interest in her capacity as governor of Swindon Academy.

11. Public Question Time

No public questions were asked or submitted for this meeting.

12. Dr Peter Crouch - Update

The Chair introduced Mrs Gill May, Executive Nurse, Clinical Commissioning Group who advised the Committee regarding the passing of Dr Peter Crouch. The Chair, on behalf of the Committee, extended their condolences to his family.

13. Minutes

Resolved - (1) That the minutes of the meeting held on 21st June 2016 be confirmed and signed as a correct record.

(2) The appointment of Doug Morris (Swindon Parent and Cares Group) as a non-voting co-optee be confirmed.

14.**Joint Local Area SEND Inspection**

The Head of Education submitted a report to inform the Committee of the local area SEND (Special Educational Needs and Disability) inspection. Mrs Lyn Frith, Commissioner, Education invited the Committee to watch a short film entitled “Swindon EHC Animation (Subtitled)” and advised this was available at: <https://www.youtube.com/watch?v=AnB04nbNCSI>. She advised that the animation explained the Education Health Care (EHC) Pathway for children and young people in Swindon with special educational needs and learning difficulties.

Mrs Frith explained that from May 2016, local areas in England became subject to joint inspections by Ofsted and the Care Quality Commission (CQC) where they would judge the effectiveness in implementing the Disability and Special Educational needs reforms according to the Children and Families Act 2014. She referred to the framework allowing evidence gathering of work being undertaken in Swindon and to the importance this had in other borough’s inspections.

Mrs Frith responded to the Committee members’ questions and comments in respect of the following:

- The transference of children with Statements to Education Health and Care Plans and how this backlog was being addressed.
- The confirmation that schools undertook annual assessments and that the department relied on the schools to undertake these earlier in the scholastic year to ensure conversions were completed on time.
- The reasons for the high percentage of pupils with a statement or EHC plan in Swindon and how this data compared with statistical neighbours.
- The effect of staff illness on the work to be undertaken.
- The reasons for continued dialogue with parents to ensure they were able to access local provision.
- The difficulty in balancing input and outcome of assessments and how the framework underpinned the work being undertaken. This allowed parents to get support without the need for their child to undertake a formal assessment.
- An explanation of the models being used by other local authorities.
- The actions being undertaken to support young people with special educational needs who were over 18 years old.
- The progress made on the development of the single pathway provision services for young people aged 19 to 25.

Resolved – (1) That the report be noted.

(2) That the Head of Education be requested to submit an update regarding the self-assessment processes being conducted at a future meeting of this Committee.

(3) That the Commissioner of Education be requested to circulates links relating to models used by other local authorities.

15.**Provision at the Salt Way Centre**

The Director of Children’s Services and the Interim Head of Children, Families and Community Heath submitted a joint report providing an update on the services being provided for children and young people with additional needs and disabilities at the Salt Way Centre.

Mr Mark Green, Integrated Service Manager, introduced the report and

explained that the report was structured to reflect themes providing an overview of services. He explained how the department responded to the increasing demand for services and referred to the various sources funding the service.

Mr Green, Mr Peter Nathan, Head of Education and Ms Gill May, Executive Nurse at NHS Swindon Clinical Commissioning Group (CCG), responded to the Committee members' questions and comments in respect of the following:

- An update on the joint CCG and Council review of the Community Health Services and when this was likely to be undertaken.
- The previous contribution level relating to short break services in contrast to the current charge level.
- How parents were utilising their fifteen hours of funded child care within the early years care sector and that this was in addition to the short break service allocated hours.
- How the hard to reach families were being targeted to ensure they benefit from short break services.
- The support provided for young people accessing 30 hours of child care and on the work being undertaken with Great Western Hospital in implementing this.
- The number of pupils accessing long term Speech and Language therapy.
- The process of diagnosing children and young people with autistic spectrum disorder.
- The work undertaken by the Multi-Agency Assessment team regarding child integration.

Resolved – (1) That the report be noted.

(2) That the Executive Nurse at NHS Swindon Clinical Commissioning Group be requested to include an update on the formal review of all Community Health Services in her next report to the Committee.

(3) That the Integrated Service Manager be requested to submit an update regarding the work being undertaken to target hard to reach families at a future meeting of this Committee.

16. Education Transport Appeals

The Head of Education submitted a report setting out the current financial and legislative position concerning home to school transport appeals. Miss Rebecca Mathis, Admissions Manager, introduced the report and advised that the report contained information on recent changes to the Education Transport appeals policy that came into effect from September 2016. Miss Mathis referred to the School Travel and Transport Guidance issued by the Department for Education in February 2014 and July 2014 regarding how appeals were to be undertaken to ensure uniformity across all local authorities.

Miss Mathis and Mrs Ann Crowley, Public Transport Network & Projects Team Leader responded to the Committee members' questions and comments in respect of the following:

- How the Admissions and Transport Departments ensured parents were able to access information and complete the application for a transport appeal.
- The difference between the submission of an appeal from a mainstream setting and a Special Educational Needs (SEN) setting. Miss Mathis confirmed that whilst the process was the same, the SEN team would be involved in the process when an appeal was received from an SEN setting.

- The demarcation of the process between the Admissions and Transport Departments.
- How the Admissions and Transport Departments differentiated between the catchment areas for the Eastern Village, Wanborough and Ridgway schools.
- How the Admissions and Transport Departments consulted when a review of school places was undertaken
- Confirmation that consultation on the 18/19 Transport Policy would be undertaken in the near future.

Resolved – (1) That the report be noted.

(2) That the Admissions Manager be requested to circulate a copy of the leaflet sent out to parents when they submit a transport appeal.

17. NHS Swindon Clinical Commissioning Group

Commissioning Group (CCG) submitted a report updating the Committee on the performance and key issues relating to the service.

Ms Gill May, Executive Nurse at NHS Swindon Clinical Commissioning Group (CCG), introduced the report and commented on the Groups' priorities and action being undertaken. In particular, Ms May referred to the appointment of a Designated Nurse regarding safeguarding children and to provide advice to the CCG, NHS England and the Council. She further referred to the provision of maternity care in Swindon.

Ms May responded to the Committee members' questions and comments in respect of the following:

- The use of the nationally recognised self-assessment tool in relation to the Special Educational Needs and Disability (SEND) health action plan and the score attained by the CCG.
- The termination of the SEQOL contract and confirmation that funding for the Children's clinics was from a different budget.
- Confirmation that discussions were being undertaken with other providers to ensure continuity of services provided in Children's clinics.

Resolved - That the report be noted.

18. Work Programme

The Committee received a report from the Director of Law and Democratic Services detailing its updated work programme for the Municipal Year 2016/17.

Resolved – (1) That the report be noted.

(2) That members be requested to submit any questions regarding Key Stage 2 results to the Committee Officer

GROWING THE ECONOMY OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 21 SEPTEMBER 2016

PRESENT:- Councillors Emma Bushell, Malcolm Davies, Mark Dempsey, Cathy Martyn (Chair), Des Moffatt, Carol Shelley, Gary Sumner and Steve Weisinger

Apologies for absence were received from Councillor Wayne Crabbe.

8. Declarations of Interest

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

9. Minutes

Resolved – That the minutes of the meeting held on 29th June 2016, be confirmed and signed as a correct record, subject to (i) Councillors Gary Sumner and Carol Shelley's names being added to those present at the meeting, and (ii) Councillor Emma Bushell being noted as giving apologies.

10. Public Question Time

Mr Brian Cockbill, a local resident, asked a question regarding the former Regional Development Agency and the allocation of funds towards a Swindon Rapid Transport project.

The Chair thanked Mr Cockbill for his question and advised that a written response would be provided.

11. 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 Paragraph 3 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 14 refers.)

12. Swindon Borough Council Response to the EU Referendum

The Committee received a report from the Interim Director of Economy, Regeneration and Skills in response to a request from Full Council for the Committee to consider the impact of the recent European Union referendum and subsequent exit of the UK from the European Union, and how this would affect the Swindon economy.

In order to fully engage with the request from Full Council, it was suggested that a Task Group be set up with the Terms of Reference as detailed in Appendix A to these minutes. It was further proposed that the Task Group should run for a period of twelve months, as the latest developments on BREXIT would be evolving over a

similar timeframe. It was agreed that the Task Group's progress could be reported to the Committee on a quarterly basis.

Resolved – (1) That the report be noted.

(2) That a Task Group be established to consider the impact of the recent European Union referendum and subsequent exit of the UK from the European Union, and how this would affect the Swindon economy.

(3) That the Task Group be set up for a period of 12 months, to consider the request from Full Council at (2) above, reporting to the Committee on a quarterly basis with the following membership:

- Councillor Cathy Martyn
- Councillor Des Moffatt
- Councillor Wayne Crabbe
- Councillor Steve Weisinger

(4) That the Task Group's Terms of Reference be agreed as attached at Appendix A to these minutes.

13. Request by Resources and Corporate Overview and Scrutiny Committee

The Chair reported that the Resources and Corporate Overview and Scrutiny Committee, at its meeting held on 13th June 2016 had agreed to place an item on their work programme about business rates and had subsequently requested to meet with the Growing the Economy Overview and Scrutiny Committee on the matter. However, it was unclear whether the request was for a joint meeting to be convened or whether a joint Task Group might be appropriate.

The Chair reminded members that they would be considering a report from the Director of Economy, Regeneration and Skills about a sustainable approach to business rates at its meeting in November 2016 and she suggested that this item remains on the Committees work programme until there was a clearer understanding of the wishes of the Resources and Corporate Overview and Scrutiny Committee.

Resolved – That the Chairs comments regarding the request by the Resources and Corporate Overview and Scrutiny Committee to meet with the Growing the Economy Overview and Scrutiny Committee about business rates be noted.

14. Work Programme 2016/17

The Committee received the report of the Director of Law and Democratic Services setting out the agreed items for inclusion in the Committee's Work Programme 2016/17.

Members noted that the Committee was due to receive an update on the Swindon and Wiltshire Local Enterprise Partnership (SWLEP) at its next meeting on 30th November 2016, and asked that the officer team attends this meeting along with the Director of the SWLEP.

Resolved – (1) That the Committee's Work Programme 2016/17 be noted.
(2) That the Director of SWLEP along with his officer team be invited to attend the next meeting of the Committee in November 2016.

15. Date of Next Meeting

That the next meeting of the Growing the Economy Overview and Scrutiny Committee be held at 6.00pm on 30th November 2016.

16. Forward Swindon Ltd

The Committee received an oral report from the Deb Heenan, Chief Executive of Forward Swindon Ltd (FSL), about a number of regeneration projects for the town centre area of Swindon.

Members received a number of documents on the various projects that contained commercially sensitive information. The Chief Executive spoke in detail about the projects listed below and responded to questions and issues raised by the Committee:

- Kimmerfields
- Kimmerfields 'enabling works'
- Corn Exchange
- Carriage Works/Bristol Street/GWR tunnel
- Carriage Works Phase 1 (units 3 and 5)
- Aspen House and Granville Street
- North Star
- Mechanics Institute
- Public realm improvements
- 1-3 Farringdon Road

Resolved – (1) That the Chief Executive, FSL, be thanked for attending the meeting and for her full and honest responses to members' questions and observations on the issues raised.

(2) That the Director of Law and Democratic Services make arrangements for members to visit the FSL officers to receive further updates on the various projects outlined above.

(3) That the Chief Executive, FSL, be asked to provide updates on the regeneration projects at each meeting.

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RESOURCES AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE

MONDAY, 26 SEPTEMBER 2016

PRESENT:- Councillors Emma Famarzi (Chair), Steve Allsopp, Des Moffatt, Maureen Penny, Timothy Swinyard, Caryl Sydney-Smith, Chris Watts and Robert Wright.

An apology for absence was received from Councillor Nick Martin.

6. Declarations of Interest

The Chair reminded all Councillors to declare any known interests before the consideration of each item. No such declarations were made.

7. Minutes

Resolved – That the minutes of the meeting held on 13th June 2016 be confirmed and signed, subject to the following amendment:

That further to Minute no. 5; that the Growing the Economy Overview and Scrutiny Committee be requested to form a Task Group with the following Members of this Committee to discuss the proposed changes to Business Rates collection and legislation once the Government has announced its decision:

Task Group Members:

Councillors Emma Famarzi, Maureen Penny, Chris Watts and Carole Sydney-Smith.

8. Public Question Time

Brian Cockbill, Stratton, asked two questions concerning (a) the Council's reserves in each year from 2003 onwards and (b) dialogue between the Cabinet Member for Finance and Corporate Services and the management, staff and union representatives of Thamesdown Transport concerning the Local Bus Services Strategy.

The Chair provided Mr Cockbill with a written response at the meeting.

9. Cabinet Member for Finance and Corporate Services Question and Answer session

Councillor Russell Holland, Cabinet Member for Finance and Corporate Services, was in attendance and the Committee considered a presentation by Councillor Holland summarising progress and performance in respect of each of the following service areas within his portfolio of responsibility:

- Financial Management (Revenue and Capital Programme).
- Finance Management Overview.
- Preparing Future Year's Budget and Medium Term Financial Plan.
- Procurement.

- Revenue and Benefits Services.
- The Council's Demand Management Agenda including Stronger Together.
- Corporate Performance Resources.
- Personnel Management.
- Risk Management.
- Developing welfare and benefits policy.

Councillor Holland referred to a report submitted to Cabinet on 7th September 2016 presenting the 2016/17 revenue forecast out-turn as at the end of July 2016 concerning the first quarter's monitoring position for the capital programme, and the updated financial plan to 2020 that councils are required to submit to Government by 14th October 2016.

At the request of the Chair, Councillor Holland responded to members' specific questions and observations on the following matters:

- A possible "get-out" clause in the Efficiency Statement.
- That the principle of devolution should apply regardless of the physical structure of Local Government.
- Joined up working with the Police Authority.
- The standard of services that the Council provides in order to balance its budgets.
- The need to consider all possible options for the future delivery of the Libraries Service including outsourcing.
- Going Local, including Parishing.
- Difficulties in recruiting social workers.
- Legal costs due to planning application appeals.
- Alternative value for money options for areas due to rising demand.
- Whether the strong leader model or the elected mayor option for local governance is the cheapest.
- Problems with continuity of service associated with employing Social Workers through agencies.
- Whether the Council achieved value for money through its contracts with SEQOL.
- If the Council achieves value for money from internal and external providers of services.
- Any overspend associated with the decision to extend the Libraries consultation period.
- Income creation and commercialisation becoming a key priority for the Council.
- The total spend to date on the Wichelstowe project.
- The departmental areas that fall under the Chief Executive's budget heading.

Resolved – (1) That Councillor Holland be thanked for attending the meeting to present his performance report, and for his full and open responses to Member's questions.

(2) That Forward Swindon and its Lead Member be invited to attend the joint task group to be formed with the Growing the Economy Overview and Scrutiny Committee.

**STREETSMART, HIGHWAYS AND COMMUNITIES OVERVIEW AND SCRUTINY
COMMITTEE**

WEDNESDAY, 28 SEPTEMBER 2016

PRESENT:- Councillor Colin Lovell in the Chair; Councillors John Ballman, Alan Bishop, Matthew Courtliff, Wayne Crabbe, Paul Dixon, Mary Friend, , Jane Milner-Barry, Kevin Parry, Gary Sumner, Caryl Sydney-Smith, Vera Tomlinson, Chris Watts, Peter Watts, Steve Weisinger, David Wood and Julie Wright.

In attendance: Councillor Dale Heenan (Cabinet Member for Sustainability, Highways and Transport).

Apologies for absence were received from Councillors Nick Martin and Timothy Swinyard, Mary Martin (Cabinet Member for Communities and Keith Williams (Cabinet Member for Streetsmart).

6. Minutes

Resolved – That the minutes of the meeting held on 29th September 2016, be confirmed and signed as a correct record.

7. 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.

8. Public Question Time

Ms Sarah Church submitted a written question regarding the effect proposed cuts on the library service would have (a) on social exclusion and (b) additional cost to the Council in relation to future mental health provision. A written response was tabled at the meeting.

Ms Sarah Church asked a supplementary question regarding the distance residents would need to travel to a visit a library under the proposals set out in the Library consultation.

Ms Shirley Burnham submitted written questions relating to the Library strategy consultation and the role of the Committee in scrutinising the process. A written response was tabled at the meeting.

Ms Burnham asked a supplementary question regarding the same issue and the substantive nature of the proposed changes to the library service in Swindon. The Chair responded at the meeting.

Mr Clive Worman asked a number of questions on details relating to the Streetsmart waste and recycling changes 2016/17 and the operation of the recycling centre. The Chair responded at the meeting.

9. Library Strategy

The Committee considered a joint report of the Cabinet Member for Communities and Head of Localities, Community Involvement and Volunteering entitled "Securing a sustainable future for Swindon's Library Service previously considered by the Cabinet at its meeting held on 13th July 2016.

The Head of Localities, Community Involvement and Volunteering introduced the report and Members discussed:

- The process for purchasing library books and the discounts received by the Council through its purchasing arrangement.
- The libraries' policy of not accepting donations of good condition second hand books.
- The feasibility of enhancing service provision via the introduction of a voluntary annual fee for library users, perhaps in return for an enhanced service, for those users.
- The introduction of a fee structure for specific library services such as the reservation service.
- Possible changes to some library services such as a click and collect service.
- The exploration and identification of further potential savings within the library service and whether there is scope for further savings without substantially reducing the number of libraries.
- The work of the Cabinet Member Advisory Group currently overseeing the consultation process and the development of the library service.
- The involvement of Ward Councillors in the libraries strategy consultation process and future shaping of the library service provision.
- The impact of library closures on local businesses.
- The need to engage smaller businesses as part of the library consultation process.
- The limited response rate to the consultation of users in the 19-35 age group.
- The engagement of educational establishments within the consultation.
- The comments of Justin Tomlinson, M.P. regarding the need for a coherent response to the consultation.
- The proposal on future library provision submitted by library staff as part of the consultation.
- Book stock replacement in libraries to be run by volunteers.
- The outcome of the previous library consultation exercises in Gorsehill.
- The limitations of the mobile library service.
- The option of using the central library for other uses and using this resource and the sale of properties used by services sharing that facility to protect branch libraries.
- The impact of the proposed strategy on access of vulnerable groups to computer facilities, especially those provided in areas of deprivation. (It was noted unemployed people needed to look for work every day and for many this was done through information technology in local libraries.)
- The effect the loss of computers in local libraries would have on education provision.
- The threat of greater isolation of vulnerable groups if local libraries were to close.
- The benefits of extending the library consultation process to tie in with the Corporate Governance Review, on the basis that any parishes created might

wish to support the current library provision within their boundaries.

- The dual purpose use of library buildings to reduce direct costs to the library service (for example as Parish Council offices, other voluntary groups, public sector partners or businesses).
- The future use of automation in any future library service provision.
- The responsibilities of volunteers and the Council in respect of any future volunteer model of a library service.
- The likelihood that volunteers can be attracted to man libraries, given the limited responses for Council volunteers in other service areas.
- The value residents put on the provision of a local library service.

Resolved - (1) That the Head of Localities, Community Involvement and Volunteering be thanked for attending the meeting and his full and open responses to members' questions and observations on the issues raised.

(2) That the report be noted.

(3) That a Task Group comprising Councillors John Ballman, Alan Bishop, Colin Lovell, Jane Milner-Barry, Vera Tomlinson, Chris Watts, David Wood and Julie Wright be established to review possible savings to the current library service budget.

10. Highways Winter Programme Review

With the agreement of the Committee this item was withdrawn.

11. Streetsmart Waste and Recycling Changes 2016/17

The Committee considered a joint report of the Cabinet Member for Streetsmart and Head of Streetsmart updating members on (a) the upcoming changes to the waste and Recycling service from 31st October 2016, and (b) a revised Policy and Waste Charter. The Head of Streetsmart introduced the report highlighting the key issues set out within the report, including up-coming changes to the waste and recycling service, changes to the operation of the household recycling centre service, the revision of the Council's waste policy and the introduction of a revised policy and waste charter.

The Committee discussed the following issues:

- The revision of household waste collection and recycling routes to optimise and improve service provision.
- The revision of waste collection and recycling days for households and potential benefits that might accrue from waste collection and recycling being on different days.
- The publicising of changes to this service.
- The estimated savings from the proposed changes to service delivery.
- The proposed withdrawal of the recycling "bring" sites and how this would affect households without front garden storage areas for recycling and houses in multiple occupation. (It was noted that the Head of Streetsmart would liaise with ward councillors in respect of these issues and the blue bag waste service provision).
- The purchase and operation of new vehicles to facilitate the change of the household waste collection and recycling service.
- Consultation with employees and unions regarding the proposed changes.
- The earlier commencement times for collections of household waste.

- Whether the changes to the recycling centre would lead to fly-tipping and how this would be handled through education and prosecution.
- The benefits to crews of households pre-sorting recyclables in separate boxes.
- The range of materials that can currently be recycled by Public Power Solutions (PPS) and at the household recycling centre.
- The Waste Policy and Charter to be submitted to the December meeting of the Committee.
- The need, from a financial and operational basis, to avoid multiple journeys to areas using the blue bag waste collection service.
- The Diversity Impact Assessment produced as part of the change in service delivery.
- The need to clarify with the Council's customer service section that there is no cost for providing additional recycling boxes.
- The impact on service provision of Parish Councils providing grounds maintenance services.

Resolved – (1) That the report be noted.

(2) That the Head of Streetsmart be thanked for attending the meeting to present the report and for his full and open responses to members' questions.

12. StreetSmart Grass Cutting Review for 2016/17

The Committee received a joint report of the Cabinet Member for Streetsmart and the Head of Streetsmart reviewing the performance of the Streetsmart grass cutting service during the 2016 season. The Head of Streetsmart made an oral presentation setting out key issues within the joint report.

The Committee considered the following issues:

- The backlog of work within the 2016 season arising from abnormal grass growth over a two month period and plans to prevent similar problems in future years.
- Enquiries from Parish Councils to take over additional grass cutting and grounds maintenance responsibilities and the future provision of grass cutting services following the conclusion of the Corporate Governance Review.
- On-going discussions with Parish Council's on the frequency of work to green areas retained by Swindon Borough Council.
- The need to engage with ward councillors regarding safe and clean days organised through Swindon Borough Council.
- The use of Council staff on contracts with private companies, the apparent difference in standards and whether such work exasperated the backlog in work previously discussed (It was noted that the specification for work for private companies would be set out in the contract and such money went directly to the Council).
- Future work on highway land to maintain safety standards.

Resolved – (1) That the report be noted.

(2) That the Cabinet Member for Streetsmart and Head of Streetsmart Head of Streetsmart be thanked for attending the meeting to present the report and for their full and open responses to members' questions..

13. Comparison of Parish and Borough Council costs for Grounds

Maintenance

The Committee noted that this item was withdrawn.

14. Committee Work Programme 2016/17

The Committee received the report of the Director of Law and Democratic Services setting out the agreed items for inclusion in the Committee's Work Programme 2016/17.

Resolved – (1) That the Committee's Work Programme 2016/17 be noted.

(2) That the Work Programme 2016/17 be amended to include a report on Street Lighting within the Borough at its November meeting,

(3) That, further to (2) above, the report on the comparison of Parish And Borough Council costs for Grounds Maintenance be move dto the Janury meeting of this Committee.

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Section 3

Regulatory Committee Minutes

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PLANNING COMMITTEE

TUESDAY, 13 SEPTEMBER 2016

PRESENT: - Councillors Kevin Parry (Chair), John Ballman, Peter Watts, Nick Martin, Alan Bishop, Cathy Martyn, Stan Pajak, Timothy Swinyard, Steph Exell, Derique Montaut, James Robbins and Gary Sumner.

An apology for absence was received from Councillor Vera Tomlinson.

13. Declarations of Interest

The Chair reminded Councillors to declare any known interests in any of the matters to be considered by the Committee.

Councillor Gary Sumner disclosed that he attended a meeting of the Wanborough Parish Council which voted to object to the application. However, he has come to the planning committee meeting with an open mind and has not pre-determined the application

14. Minutes

Resolved – That the minutes of the meeting held on 12th July 2016, be confirmed and signed.

15. Public Question Time

There were no public questions

16. Determination of Planning and Related Applications

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments of Councillor Toby Elliot in respect of application numbered S/16/720
- (d) The comments of Councillor Bob Wright contained in a letter circulated to Committee in respect of application numbered S/16/960
- (e) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/OUT/16/811	Daniel Drayton	Agent
S/16/720	Glen Godwin	Agent

Resolved – (1) That the Head of Planning, Regulatory Services and Heritage be authorised to grant outline planning permission in respect of application numbered S/OUT/16/811 subject to all necessary conditions.,

(2) That permission be refused in respect of application numbered S/16/720 for the reasons set out in the Committee report.

(3) That permission be granted in respect of application numbered S/16/960 subject to the conditions listed in the Committee report as amended below:

Amended Condition

6. The development hereby authorised shall not be occupied until provision has been made for the parking of cycles that accords with the local planning authorities adopted standards and comprised in details that have first been submitted to and agreed in writing by the local planning authority and thereafter maintained and retained in the agreed form.

Reason: To ensure that satisfactory provision is made for cycle parking.

(4) That permission be granted in respect of application numbered S/16/1275 subject to the conditions listed in the Committee report.

(5) That advertisement consent be granted in respect of application numbered S/ADV/16/1276 in accordance with conditions 1 and 2 as set out in the Committee report and with the wording of condition 3 being amended to limit the luminance of the advertisements to no more than 600 candela per square metre and to be adjusted from the current higher level within 14 days of the date of approval.

PLANNING COMMITTEE

TUESDAY, 11 OCTOBER 2016

PRESENT: - Councillors Kevin Parry (Chair), John Ballman, Vera Tomlinson, Peter Watts, Nick Martin, Alan Bishop, Cathy Martyn, Timothy Swinyard, Steph Exell, Derique Montaut, James Robbins and Gary Sumner.

An apology for absence was received from Councillors Stan Pajak.

17. Declarations of Interest

The Chair reminded members to declare any known interests in any of the matters to be considered by the Committee.

Councillor Cathy Martyn made a personal and prejudicial declaration of interest in respect of application numbered S/15/823 and did not take part in the debate and voting in respect of this application.

18. Minutes

Resolved – That the minutes of the meeting held on 13th September 2016, be confirmed and signed.

19. Public Question Time

There were no public questions

20. Determination of Planning and Related Applications

The Committee considered:-

- (a) Applications for permission to develop
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments of Councillor Courtliff in respect of application numbered S/16/1281
- (d) The comments of the following interested persons:-

S/15/823	Mark Petit	Agent
	Chris Kennedy	Wroughton Parish Council
S/16/913	Dave Dryston	Priors Hill
	Chris Kennedy	Wroughton Parish Council
S/16/1281	Rod Navarette	Agent

Resolved - (1) That the Head of Planning, Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/15/823 subject

to the conditions listed in the Committee report together with any amendments, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation.

(2) That permission be granted in respect of applications numbered S/16/913 S/16/1263 and S/16/1281 subject to the conditions listed in the Committee reports.

21. Wiltshire Council planning application Land South of Tewkesbury Way, Lydiard Tregoze, west Swindon

On consideration of (a) a report of the Head of Planning, Regulatory Services, and Heritage concerning a planning application for the development of 48 dwellings on land south of Tewkesbury Way Lydiard Tregoze, west of Swindon submitted to Wiltshire Council and in respect of which Swindon Borough Council's views were sought, and (b) the comments of Kevin Fisher, Lydiard Heritage Action Group.

Resolved - (1) That the draft letter attached at Appendix 1 to the report be endorsed as Swindon Borough Council's formal response to the consultation by Wiltshire Council, objecting to the planning application on land south of Tewkesbury Way.

(2) That the Head of Planning, Regulatory Services and Heritage, be authorised to submit the proposed response on behalf of Swindon Borough Council and to deal with any matters relating to the application prior to, or subsequent to, Wiltshire Council making a decision on the planning application.

22. New Eastern Villages Planning Obligations SPD

The Head of Planning, Regulatory Services and Heritage, submitted a report summarising the comments received through the public consultation process undertaken in respect of the New Eastern Villages Planning Obligations Supplementary Planning Document, as set out in Appendix 1 to the Committee report, and recommending its adoption, subject to changes made in response to comments received.

Resolved - (1) That the NEV Planning Obligations Supplementary Planning Document, as set out in Appendix 1 to the Committee report, be adopted and made publically available in accordance with the arrangements detailed in paragraph 6.1 of the report.

(2) That the Head of Planning, Regulatory Services and Heritage, in consultation with the Director of Law and Democratic Services, the Chair of the Planning Committee and the Cabinet Member for Strategic Planning, be authorised to make any minor amendments to the content of the documents, prior to publication.

(3) That the Head of Planning, Regulatory Services and Heritage, be authorised to carry out any consultation that may be required for a future review of the SPD and bring a report in respect of the review to this Committee for consideration.

The Head of Planning, Regulatory Services and Heritage, submitted a report summarising the comments received through the public consultation process and recommending adoption of the New Eastern Villages (NEV) Framework Travel Plan Supplementary Planning Document (SPD), subject to changes made in response to comments received.

Resolved - (1) That the NEV Framework Travel Plan Supplementary Planning Document, and associated appendices, be adopted and made publically available in accordance with the arrangements detailed in paragraph 6.1 of the report.

(2) That the Head of Planning, Regulatory Services and Heritage, in consultation with the Director of Law and Democratic Services, be authorised to make any minor amendments to the content of the documents, prior to publication.

(3) That the Head of Planning, Regulatory Services and Heritage, in consultation with the Director of Law and Democratic Services, be authorised to publically consult on any subsequent reviews of the document that may be required, prior to the consideration of any changes.

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LICENSING PANEL

WEDNESDAY, 28 SEPTEMBER 2016

PRESENT:- Councillors Alan Bishop, Derique Montaut and Vera Tomlinson

4. Appointment of Chair

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

5. Minutes

Resolved – That the minutes of the meeting held on 2nd June 2016, be confirmed and signed as a correct record.

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. No declarations were made.

7. Application for the grant of a Premises Licence in respect of Unit 4-6, 1-8 Manchester Road, Swindon

The Panel considered (a) a report of the Council's Licensing Manager setting out an application for a Premises Licence for Unit 4-6, 1-8 Manchester Road, Swindon, (b) revised paperwork submitted at the meeting in respect of the application, (c) information set out in the Licensing Manager's report, (d) the Council's procedure for licensing hearings, (e) correspondence from Wiltshire Police requesting the attachment of conditions should the application be granted, (f) objections received from Broad Green Community Council and two local residents opposing the grant of a Premises Licence, (g) oral representations from the applicant in support of his application, (h) questions and answers to officers, the applicant (Mr Kadir) and the owner of the premises (Mr Muhammad), (i) the Licensing Act 2013 and the Secretary of State's Section 182 Guidance, and (j) the Council's Licensing Policy.

The Head of Planning, Regulatory Services and Heritage introduced the report noting that:

- Revised paperwork had been tabled at the meeting to replace pages 17 – 39 of the agenda papers.
- Unit 4 had been granted a premises Licence for Unit 4 of the premises on 15th January 2016.
- The hours requested for the sale of alcohol were 08:00 – 23:00 daily.
- The application was for a supermarket comprising a single unit and if granted would require the issue of a new premises licence.
- The objections to the grant of a new premises licence had been received from Broad Green Community Council and two local residents.
- The objections received could be broadly summarised as opposing a new outlet for the sale of alcohol in the locality and the hours for the sale of alcohol requested.

- The area for alcohol display was set out on the floor plan appended to the report of the Council's Licensing Officer.
- Wiltshire Police had requested a number of conditions which were set out on pages 44 -45 of the agenda papers. The applicant had accepted these conditions in their entirety.
- In the event that a new premises licence be granted the existing premises licence would need to be surrendered by the premises licence holder.

In the absence of the objectors, the Panel had before them their written submissions set out on pages 41 – 44 of the agenda papers, these can be broadly summarised as:

- There were already too many retail outlets selling alcohol in the area.
- The grant of further premises licences could lead to a depression of alcohol prices in existing shops.
- The availability of cheaper alcohol could attract street drinkers and lower prices would deprive existing shops of income.
- Many local residents do not have cars and rely on corner shops in the area.
- The Council had considered a Cumulative Impact Policy for the area.
- Larger retail units in Manchester Road thrive despite not selling alcohol.
- There are enough outlets in the area to cater for local needs.
- The area already suffers from anti-social behaviour from street drinkers.

In the absence of Police representatives, the Panel considered the conditions requested by Wiltshire Police in the event the application was granted. These were set out on pages 45 – 47 of the agenda papers.

The Panel considered oral representations in support of the application from the applicant (Mr Kadir) and the owner of the premises (Mr Muhammad) which can be broadly summarised as:

- The applicant was willing to accept, in their entirety, the conditions requested by Wiltshire Police.
- The applicant would be willing to reduce the hours for the sale of alcohol until 22:30 daily with the shop closing at 23:00 daily.

The applicant answered questions in respect of:

- Whether ceasing the sale of alcohol earlier than adjacent shops would make managing the premises more difficult.
- Shop policies to prevent the sale of alcohol to groups of youths.
- Staffing arrangements during the period where the sale of alcohol was permitted.
- Shop policies regarding the sale of alcohol on days where Swindon Town Football Club was playing home fixtures.
- Current security at the premises including staff alarms and CCTV.

Resolved - After considering: -

1. The application for a new Premises Licence in respect of Units 4-6, 1-8 Manchester Road, Swindon made by the Licensee; and

2. Representations and material put forward on behalf of the Objectors;

and taking into account: -

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

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

- i. The prevention of crime and disorder;
- ii. The prevention of public nuisance;

The Panel has determined that a new premises licence be granted for Units 4-6, 1-8 Manchester Road, Swindon, subject to the following conditions: -

1. The permitted hours for the sale of alcohol be:
Monday to Sunday 08:00 until 23:00.
2. That in addition to the conditions on the existing Premises Licence, which shall be transferred, as applicable, the conditions requested by Wiltshire Police and agreed by the licensee shall be appended to the new premises licence.
3. That, prior to the issue of the new premises licence the licensee shall be required to surrender the premises licence in force for Unit 4, 1-8 Manchester Road.

Reasons

1. The Panel was satisfied that the conditions proposed Wiltshire Police, and agreed by the applicant (confirmed by the applicant at the hearing) would minimise the impact on the amenities of local residents and uphold the Licensing Objectives.
2. The Panel carefully considered the written and oral representations of those who opposed the application and the written and oral submissions of the applicant and were mindful that there had been no objections from the Statutory Authorities.
3. The Panel noted that the application was to extend an existing retail outlet and further noted that no substantive issues had been reported to it either by Wiltshire Police or the Council's Licensing Officers.
4. The Panel noted that whilst acknowledging current issues within the locality there was no evidence further nuisance would arise from the operation of the revised premises.
5. That, whilst the Council had adopted a Cumulative Impact Policy for the area, the premises in question was not affected as it was already operating under a premises licence before the Cumulative Impact Policy was adopted and also because the application for the new premises licence was received prior to the policy's adoption.
6. That the current premises licence should be surrendered prior to the issue of a new premises licence in order to ensure there was only one premises licence in

operation.

The Panel noted the licensee's comments regarding the installation of panic buttons in the premises for use by staff. Whilst the Panel did not condition such installation it recommended, in the interests of staff safety, these be fitted.

The Chair advised the hearing that both parties had a right of appeal to the Magistrates' Court against the panel's determination. Such an appeal must be commenced within 21 days of receipt of the written determination including reasons.

LICENSING PANEL

FRIDAY, 30 SEPTEMBER 2016

PRESENT:- Councillors Abdul Amin, Malcolm Davies, Vera Tomlinson and Abdul Amin

An apology for absence was received from Councillor Nick Martin.

8. Appointment of Chair

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

9. 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.

10. Application to Review the Premises Licence in respect of Tap and Barrel 115 Manchester Road, Swindon, SN1 2AJ together with a copy of each relevant representation made and supporting documents

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an application for a Review of the Premises Licence for the Tap and Barrel Public House, 115 Manchester Road, Swindon, SN1 2AJ, (b) written representations from Wiltshire Police in support of the review, (c) oral submissions in support of the application for a review received from Sian Kalynka (Police Licensing Officer) in support of the Police Objection, (d) oral submissions received opposing the application for review from Messrs Tim Shield (Jim Gaunt and Partners Solicitors) solicitor to the applicants and Mr Trevor Reardon (Trust Inns Limited, (f) additional papers submitted by Jim Gaunt and Partners Solicitors setting out additional conditions for inclusion on the premises licence as agreed with Wiltshire Police (g) questions from Members to the applicants and objectors and answers received, and (h) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Statement of Licensing Policy.

The Council's Licensing Officer introduced the report noting that:

- A review of the premises licence for the Tap and Barrel Public House, 115 Manchester Road, Swindon had been initiated by Wiltshire Police on the grounds of the Prevention of Crime and Disorder licensing objective.
- The review was outside the statutory time period but was proceeding with the agreement of both parties.
- Supporting documentation in support of their review received from Wiltshire Police was set out in the agenda papers.
- There was currently no Designated Premises Supervisor at the premises which was accordingly closed to the public.
- The review arose from the sale of alcohol between midnight and 04:26 hours on 25th April 2016 in contravention of condition 17 of premises licence conditions.

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

- That the Police had worked with Trust Inns Limited for the last two years and in 2014 a number of additional conditions had been agreed between both parties for inclusion on the premises licence.
- There had been further breaches of the premises licence including on 26th April 2016 with a breach of condition 17 when sales of alcohol took place between midnight and 04:26 hours.
- Since the application for review meetings had occurred between the Council's Licensing Officer, the Police and representatives of Trust Inns Limited to discuss areas of concern.
- The Police and Trust Inns Limited had agreed a number of additional actions had been implemented by the management and an additional condition had been agreed for inclusion on the premises licence.
- On 17th July 2016 additional training had been provided to the staff and management of the Tap and Barrel Public House, this training had been provided by Mr Tim Shield (Jim Gaunt and Partners Solicitors).
- The Designated Premises Supervisor in place at the time of the breach of licensing conditions on 26th April 2106 had been removed from his position.
- Trust Inns had also agreed to undertake quarterly checks of the premises to ensure that conditions on the premises licence were being complied with.
- Wiltshire Police were satisfied that, given there had not been any further significant breaches of the licensing conditions since the review had been commenced, the actions of management and the proposed additional condition agreed with Trust Inns that with the imposition of the agreed condition no further action was needed at this time.

The Panel's legal advisor read out the proposed condition with a suggested amendment to read:

"Trust Inns will make quarterly checks at the premises to ensure that all conditions on the premises licence are being complied and will take immediate action to remedy any failings. Wiltshire Police Licensing Officer and Swindon Borough Council Licensing Authority shall be notified that these checks have been carried out on the premises."

Points and issues raised by the Solicitor to the Respondents and additional comments from the representative of Trust Inns, included but were not limited to:

- That although the proceedings were delayed this was not a matter for the Panel and been raised in correspondence with the Council's Licensing Manager.
- That since the review had been called in April 2016 there had been no significant issues arising at the premises.
- Trust Inns own 500 premises country wide mostly as a landlord with autonomous tenants.
- Trust Inns representatives were not on individual premises on a day to day basis.
- Mr Trevor Reardon was responsible for 30 or so sites and visited these

- periodically and offered advice and assistance.
- The current landlord had been at the premises since 2015.
- Following discussions with the Police and the inclusion of an additional premise licence condition in 2014 training had been given to all staff; this training was to Personal Licence standard.
- In 2015 it had been agreed that some of the premises condition be loosened (i.e. on door supervisors).
- Following the allegation of after-hours sales at the premises in April 2016 the Police had taken no further action against the landlord who maintained the incident arose from a private party.
- Trust Inns Limited had made it clear to the landlord that they condemned after hours sales of alcohol and that there should be no further private parties after the licensing hours set out on the premises licence.
- Additional training regarding licence conditions, compliance and the law had been given to the landlord and staff on 17th July 2016 and training records were available. This training had been followed by a test undertaken by the recipients.
- The Police had wanted the tenant to be the Designated Premises Supervisor and Mr Pointer (landlord) was in the process of complying with this.
- Should the transfer of the Designated Premises Supervisor be held up then Jim Gaunt and Partners Solicitors would take over the paperwork for this.
- Additional training would be given to the Designated Premises Supervisor once confirmed.
- In April 2016 Wiltshire Police had determined that a review of the premises was necessary. Since then steps had been taken by Trust Inns and the landlord to allay Police concerns and agree remedial action.
- Staffing at the premises was steady and 1 or 2 of the staff originally trained in 2014 were still in position.
- That it was intended to undertake refresher training for staff on a 3 to 6 month basis.

The Respondents answered questions received in respect of:

- The private party on 26th April 2016 that resulted in after-hours sales of alcohol.
- Whether the level of supervision by Trust Inns Limited was sufficient for the premises.
- The management performance of other trust Inns Limited premises in Swindon.
- Actions to ensure current compliance with the licensing conditions at the premises continued.
- The need to ensure monitoring of licensing conditions at the premises was robust.

Resolved – After considering:-

1. A review of the Premises Licence in respect of the Tap and Barrel Public House, 115 Manchester Road, Swindon relating to the Prevention of Crime and Disorder Licensing Objective.
2. Representations and material put forward on behalf of the Police, and the

licensee;

and taking into account: -

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

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

- i. The prevention of crime and disorder;

The Panel noted that (i) the Premises Licence holder had implemented training and education in accordance with the requirements of the Police on the 17th July 2106, (ii) that there had been no incidents at the premises since the review had been called and (iii) the Premises Licence Holder had cooperated with the Police in agreeing a further condition as set out below:

The Panel determines that the premises licence held by Trust Inns Limited in respect of the Tap and Barrel Public House, Swindon, be amended to include the following additional condition:

"Trust Inns Limited and any successor Premises Licence Holder shall make quarterly checks at the premises to ensure that all premises licence conditions are being complied with and take immediate action to remedy any failings. All such checks including action taken to remedy failings shall be recorded and made available on request to officers of Wiltshire Police and Swindon Borough Council Licensing Authority. A copy of the records shall be kept on the premises."

Reasons

1. The Panel was satisfied that the condition proposed Wiltshire Police, and agreed by the applicant (confirmed by the applicant at the hearing) as revised by the Panel would uphold the Licensing Objectives.

2. The Panel noted that the additional condition imposed had been agreed by the Police and representatives of Trust Inns Limited.

3. The Panel noted that since the review of the premises licence had been commenced in April 2016 no further substantive breaches of the Licensing Objectives or further breaches of the licensing conditions had been reported by the Police or Licensing Authority.

4. That the Panel was satisfied that the conditions proposed by the Police and agreed by the respondents, as amended, offered oversight of the licensable activities at the premises.

5. That given the comments of the Police to the hearing that, with the attachment of the additional condition to the premises licence, that they felt no additional action was required at this time the Panel determined that the decision was fair and proportionate.

The Chair advised both parties that they had a right of appeal to the Magistrates'

Court against the panel's determination and that any such an appeal must be commenced within 21 days of this determination.

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LICENSING PANEL

FRIDAY, 30 SEPTEMBER 2016

PRESENT:- Councillors Carol Shelley, Vera Tomlinson and Nadine Watts.

11. Appointment of Chair

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

12. 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.

13. Application to Review the Premises Licence in respect of King and Queen, 15 High Street, Highworth, Swindon

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an application for a Review of the Premises Licence for the King and Queen Public House, 15 High Street, Highworth, Swindon, SN1 2JH, (b) written representations from Wiltshire Police in support of the review, (c) oral submissions in support of the application for a review received from Sian Kalynka (Police Licensing Officer) in support of the Police Objection, (d) oral submissions received opposing the application for review from Mr Daniel Pruett (Landlord), (e) questions from Members to the applicants and objectors and answers received, and (f) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Statement of Licensing Policy.

The Council's Licensing Officer introduced the report noting that:

- The review of the premises licence for the King and Queen Public House, 15 High Street, Highworth, Swindon had been made under the Crime and Disorder and Prevention of Public Nuisance Licensing Objectives.
- The request for the review had been received by the Licensing Authority in February 2016 and had been advertised in accordance with the statutory regulations.
- The delay in the hearing was partly due to a family bereavement.
- The Landlord accepted a caution offered by the Police for the breach of the licensing conditions set out in the Licensing Manager's report.
- That on 7th February 2016 police officers in plain clothes entered the premises and witnessed a number of sales of alcohol beyond the permitted licensing hours of 01:00.
- The landlord had sent an email to the Licensing Authority on 12th June 2016 but no formal application to revise his premises licence had been received.
- Since 16th April 2016 the Designated Premises Supervisor had been Mr Benjamin Kelsey.
- Mr Pruett had requested premises licence variation forms immediately prior to the hearing.

The Police case for a review and summary of raised points can be broadly

summarised as follows that:

- The Police submitted the application to review the premises licence on 15th April 2016.
- The permitted hours for the sale of alcohol at the premises were 10:00 to 01:00 daily.
- The Police had received intelligence that sales of alcohol were being made after permitted hours prior to their visit on 7th February 2016.
- On 7th February 2016 Police Officers in plain clothes entered the premises and witnessed the sale of alcohol after 01:00, the permitted time for sales.
- The Police Officers in plain clothes remained on the premises until 01:30 and during this period further sales of alcohol took place.
- At the time of this visit Mr Pruett was the Designated Premises Supervisor.
- When approached Mr Pruett appeared drunk and explained that he was not working at that time.
- Police Officers checked till readings which confirmed sales of alcohol had been made after the permitted hours.
- A copy of the till receipts were attached as pages 24 -26 of the agenda papers.
- The Police Licensing Officer and PC Michael Diffin met with Mr Pruett following the after-hours sales and wrote to him on 18th February 2016 setting out some proposed minor variations to the premises licence.
- The Police believe that the inclusion of the amended conditions on the premises licence would reduce similar incidents and prevent anti-social behaviour.
- Mr Pruett had been given ample opportunity to respond to and agree the inclusion of the amended conditions and to vary the premises licence but no application for variation of the premises licence had been submitted to the Licensing Authority.
- The Police, in the first instance, had tried to work with premises to remedy issues, but, in this case felt that they had no option but to progress to a review hearing with a view to seeking the inclusion of the amended conditions.

The Police answered questions in respect of:

- Further minor incidents at the premises following the review application.
- Police intelligence that there had been a number of occasions where after hours sales of alcohol had occurred.
- The number of after-hours sales witnessed by police officers on 7th February 2016.
- Checks to ensure the accuracy of information set out on the till receipts appended to the agenda papers.

Points and issues raised by the Respondent included, but were not limited to:

- That he was not opposed to the additional conditions proposed by the Police.
- That he accepted that he had not completed the necessary work to amend his premises licence.
- Some of the delay in amending his premises licence was a result of his wife's terminal illness and looking after his teenage daughters.

- He had tried and failed on a number of occasions to get a copy of the premises licence from both the former premises licence holder Enterprise Inns, and the Council's Licensing Team and felt disappointed that this had not made available to him sooner.
- When he took over the running of the premises it had been closed and he had sought, without success, a copy of the premises licence at this time.
- He thought the terminal hour for the sale of alcohol was 02:00 hours.
- Since taking over the premises, the number of complaints from neighbours had significantly reduced.
- Since taking over the premises he had tried to change its reputation through measures such as providing food; the premises still had a clientele that liked to drink late but he was trying to move away from this.
- He and his family lived on the premises.
- He had met all of the additional conditions requested by the Police who had used his CCTV footage to view an incident outside of, and not related to, the premises.

Questions to the Respondents and responses received in respect of:

- The reasons behind Mr Pruett being unable to obtain a copy of the premises licence despite him seeking this on several occasions.
- Mr Pruett's experience as a licensee prior to him becoming landlord three years ago.
- His customers informing him that the terminal hour for the sale of alcohol was 01:30 hours.
- Sales of alcohol on 7th February at 01:40 hours.
- The failure to respond to Police correspondence over a five month period.
- That the premises was now operating within the conditions (including the additional conditions requested by the Police) of the premises licence conditions.
- Staff training.
- That the licensing hours were now prominently displayed on the premises.

Clarification by the Council's Licensing Manager and Wiltshire Police as to:

- Regular changes of landlords at the premises prior to Mr Pruett taking over the premises.
- That the premises licence had been suspended for a period prior to Mr Pruett taking over as a result of the non-payment of fees by Enterprise Inns.
- That following the incident on 7th February 2016 the licensable hours had been confirmed with Mr Pruett.
- That the failure to vary his licence was serious as the Licensing Authority didn't have recourse to the amended conditions if there were an incident at the premises.
- That a variation cost £87 and involved the completion of a simple form.

Resolved - After considering: -

1. A review of the Premises Licence in respect of the King and Queen Public House, 15 High Street, Highworth, Swindon relating to the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing

Objectives.

2. Representations and material put forward on behalf of the Police, and the licensee;

and taking into account: -

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

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

- i. The prevention of crime and disorder;
- ii. The prevention of public nuisance;

the Panel noted (i) that the Premises Licence holder had informally implemented the terms of three conditions requested by the Police in their correspondence dated 18th February 2016, (ii) that there had been no similar incidents at the premises since the review had been called, and (iii) that the licensee had not formally submitted paperwork to the Licensing Authority to amend the premise licence by the addition of the proposed conditions as requested by the Police.

The Panel determined that the premises licence held by the licensee in respect of the King and Queen Public House, 15 High Street, Highworth, Swindon, be amended to include the three additional conditions requested by the Police in their correspondence dated 18th February 2016, and set out on page 28 of the hearing papers.

Reasons

1. The Panel was satisfied that the conditions proposed by the Wiltshire Police, and agreed by the applicant (confirmed by the applicant at the hearing) would uphold the Licensing Objectives.
2. The Panel noted that since the review of the premises licence had been commenced in April 2016, no further substantive breaches of the Licensing Objectives or further breaches of the licensing conditions had been reported by the Police or Licensing Authority.
3. That the Panel was satisfied that the conditions proposed by the Police and agreed by the respondents offered oversight of the licensable activities at the premises.
4. That given the comments of the Police to the hearing that, with the attachment of the additional conditions to the premises licence, that they felt no additional action was required at this time the Panel determined that the decision was fair and proportionate.

The Chair advised both parties that they had a right of appeal to the Magistrates' Court against the panel's determination and that any such an appeal must be commenced within 21 days of this determination.

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LICENSING PANEL

TUESDAY, 4 OCTOBER 2016

PRESENT:- Councillors Alan Bishop, Maureen Penny and Vera Tomlinson

14. Appointment of Chair

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

15. 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. 4 as she knew one of the objectors who made a submission.

16. Application for the grant of a Premises Licence in respect of Moredon Off Licence, 275 Whitworth Road, Moredon, Swindon

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an application for a Premises Licence for Moredon Off Licence, 275 Whitworth Road, Swindon, SN2 3BU, (b) written representations from Whitworth Road Residents Association, Rodbourne Cheney Residents Association, Mr S Hatt, Mr R Kimber and Miss P Strange (local residents) opposing the grant of a licence, (c) oral representations against the grant of a premises licence by Councillor Peter Watts (Ward Councillor), (d) oral representations by local residents in support of their written submissions opposing the grant of a premises licence, (e) conditions proposed by Wiltshire Police for inclusion on the premises licence, if granted, (f) oral submissions in support of the application by Ms Gonul Howell (applicant), (g) questions from Members to the applicant and objectors and answers received, and (h) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Statement of Licensing Policy.

The Council's Licensing Officer introduced the report noting that:

- The application was for a premises licence for an Off-Licence at 275 Whitworth Road, Swindon.
- The premises had previously been a Post Office and had not previously held a premises licence.
- That a petition containing eight signatures opposing the grant of a premises licence had been received after the end of the consultation period. The wording of this petition had been included, for information, in the agenda papers pack but would not form part of the panel's consideration.
- The Police had submitted proposed conditions for inclusion on the premises licence, should this be granted, and the applicant had agreed to the conditions requested.
- The proposed designated premises licence holder lived within thirty minutes of the store location.

Councillor Peter Watts' made representations on behalf of local residents at Walker House, Whitworth Road Residents Association and Rodbourne Cheney Residents Association opposing the grant of a premises licence. These representations can be broadly summarised as:

- That local people believed that there was no need for an off-licence in the area around 275 Whitworth Road, Swindon as they believed the three supermarkets in the immediate vicinity catered for local needs (the opening hours of these stores covering Monday to Saturday 08:00 to 23:00 hours and Sunday 10:00 to 22:00 hours).
- There were currently parking problems on Whitworth Road and these would be exacerbated by an off-licence. There was currently one space with a maximum stay time of 30 minutes outside the premises and three others in close proximity on the road with a maximum one hour stay during daytime.
- After 5:00pm and on weekends the car parking spaces associated with the premises were used by local residents.
- The car parks for Farm Foods and Co-operative stores were for customer use only and were regulated by a local company.
- There were double yellow lines on both sides of Whitworth Road in the vicinity.
- The Road to the side of 275 Whitworth Road was private and offered access to the residential accommodation behind the proposed store.
- Residents already suffered problems of obstruction with cars blocking the alley.
- There were five flats that formed part of the 275 Whitworth Road premises (three accessed from the front and two from the rear) and they had the same landlord as the applicant.
- There was a real concern that the residents of these flats would suffer a loss of amenity through customers parking inconsiderately should the premises licence be granted.
- The site had previously been a post office and had operated at less intrusive hours.
- The Panel should give weight to the fact that so many local people had concerns in respect of the application.
- That should the premises licence be granted it was requested that this be through a temporary permission so that the effect of the business on the local community could be monitored and confirmed at a later date if there were no substantive problems. (It was noted that this was not an option available to the Panel.)

Representations were made by objectors on behalf of local residents, opposing the grant of a premises licence. These can be broadly summarised as:

- Parking problems along Whitworth Road had been a major issue when the Post Office at 275 Whitworth Road was operating and residents believed that, with the extended hours requested for the premises licence, this would become considerably worse; especially in the evening.
- Whitworth Road had previously been a B Road, which was not designed for high volumes of casual traffic and this was likely to cause problems for local residents.
- The extended hours of operation and the 08:00 start meant that it would add

to traffic during the morning school “run”.

- The operation until after 22:00 would lead to additional loss of amenity for residents through additional noise in the evening.
- There was restricted parking in the area and the car parks for Farm Foods and the Co-operative were only for use by customers of those shops.
- There was the real possibility that the premises could act as a magnet for younger people creating additional noise problems.
- There were two other outlets in the close vicinity that sold alcohol after 22:00 and local residents didn’t believe another one was required.

The objectors responded to questions put in respect of:

- Private parking provisions in the vicinity for local residents and in particular those in the area immediately adjacent to 275 Whitworth Road.
- Increased traffic problems on Whitworth Road arising from increased levels of traffic using the road.
- Residents’ views that an off-licence at 275 Whitworth Road would lead to increased volumes of traffic and parking problems.
- That the extended hours of operation requested would exaggerate the problems caused because they would be prevalent at later times.
- Access arrangements for the flats to the rear of 275 Whitworth Road.
- Whether the premises were currently in use.
- The planning permission in force for the premises allowing a convenience store to operate there.
- The opening hours of the other shops in the vicinity.
- Problems experienced at the premises when it operated as a Post Office.
- Previous levels of complaints regarding parking problems in that area of Whitworth Road.
- Parking restrictions currently in force on Whitworth Road.
- The potential for increased litter with the opening of an of-licence at the site.

The applicant commented on a number of issues, including, but not limited to:

- The application for a premises licence was intended to compliment the general store that was being opened.
- The store would include reference to Rodbourne Cheney to reflect its location.
- That parking was not considered to be an issue as the store was fairly small in size and was intended to cater for local residents.
- Due to its location and size it was not anticipated that it would attract a lot of passing trade.
- That the applicant was content to reduce the hours requested from 00:00 to 23:00 to help reduce the risk of noise nuisance to local residents.
- The premises had been run as a convenience store and/or Post Office for approximately 20 years.

The applicant responded to questions put by the Panel on:

- Issues with local car parking and where customers would be likely to park if the spaces available immediately outside the premises were taken.

- Whether the store would operate regardless of whether a premises licence was granted.
- Deliveries to the premises and whether these could be managed to avoid busy traffic periods and how they would be managed if no car parking spaces were available.
- The rationale for the hours of operation requested.
- The clientele that was expected to use the premises.

Resolved - After considering: -

1. The application for a premises licence made by the Applicant; and
2. Representations and material put forward on behalf of the Objectors;

and taking into account: -

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

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

- i. The prevention of crime and disorder;
- ii. The prevention of public nuisance;

the Panel determined that a Premises Licence be granted subject to: -

1. The permitted hours for the sale of alcohol be:
Monday to Saturday 08:00 until 23:00.
Sunday 08:00 until 22:30.
2. That the conditions requested by the Police and set out in the hearing papers shall be applied to the Premises Licence.

Reasons

1. The Panel was satisfied that the conditions proposed by the Wiltshire Police, and agreed by the applicant (confirmed by the applicant at the hearing) would minimise the impact on the amenities of local residents and uphold the Licensing Objectives.
2. The Panel noted that the applicant had offered an amendment to the end sale time for alcohol and determined that in the light of this offer the end time be amended to 23:00 in order to help protect the amenity of local residents.
3. The Panel carefully considered the written and oral representations of those who opposed the application and the written and oral submissions of the applicant and were mindful that there had been no objections from the Statutory Authorities.
4. The Panel noted that applicants had confirmed the store would be opening regardless of the grant or otherwise of a premises licence.

5. Whilst carefully considering the objectors representations the Panel was mindful that harm caused by the grant of a licence needed to be definitively linked to the application and needed to be evidence based.

6. The Panel noted that whilst acknowledging current issues within the locality there was no evidence further nuisance would arise from the operation of the sale of alcohol at the premises give that the hours of operation were in line with nearby shops.

The Chair reminded both parties that they had a right of appeal to the Magistrates' Court against the determination of the panel and that any such appeal, must be commenced within 21 days of the determination.

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Section 4

Children Services Bodies Minutes

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SCHOOLS FORUM

TUESDAY, 18 OCTOBER 2016

PRESENT: -

School Members: Janet Urban, Chair - Primary Headteacher
Jackie Smith, Vice-Chair - Special Headteacher
Rhian Cockwell, Primary Headteacher
Wendy Conaghan, Academy Headteacher
Alison Lowe, Primary Headteacher
Charles Law, Special Governor
Sue Banks, Secondary Headteacher
Clive Zimmerman, Academy Headteacher

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

Officers: Ian Burbidge (Head of Finance, Schools)
Anne Mackay (Finance Manager, Education)
Peter Nathan (Head of Education Services)

Also Present: Councillor Fionuala Foley, Cabinet Member for Children's Services and Karen Reeve (Director of Children's Services), Marie Horton (School Improvement Advisor), Paul Davis (SEN/High Needs and Finance Officer), Andree Ferguson (Head of Litigation and Personal).

Apologies for absence were received from Ben Slater (EOTAS), Ray Williams (Primary Governor) and James Povoas (Academy Headteacher).

11. Minutes of Previous Meeting

Resolved: That the minutes of the meeting held on 12th July 2016 be confirmed and signed as a correct record.

12. Public Question Time

In accordance with Standing Order 28, Mr. Alastair Dixon-Patterson, Lydiard Park Academy had submitted questions relating to (a) the constitution and membership of Schools Forum, (b) the review of the regulations and (c) the election of the current members.

The Chair thanked Mr Dixon-Patterson for his question and advised that a written response would be provided.

13. Schools Forum Membership

The Head of Education submitted a report advising members that a review of the Schools Forum had been conducted. Mr Peter Nathan, Head of Education, advised that the review had been undertaken to ensure that the current membership was appropriate in light of the evolving balance of schools in Swindon and with

regards to the 2002 Education Act, Schools Forum (England) regulations 2012 and Schools Forum Operational and Good Practice Guide 2015. He referred to the membership structure and advised that to ensure proportionality, there was only one member from the maintained secondary school and that an extra member be elected by the mainstream Academy proprietors at a later date.

Mr Nathan responded to members' queries regarding the representation from Special Schools and the election of an academy representative by the Academy proprietors.

Resolved: That the Schools Forum recommends to Council that:

(a) The maintained school members within each group are drawn from headteachers, senior members of staff and governors.

(b) The number of mainstream Schools Forum members remains at 12 (21 Schools Forum members in total).

(c) The vacant maintained secondary governor position is deleted.

(d) That one extra member is elected to represent mainstream academies, to be elected at a later date by the proprietors of mainstream Swindon Academies.

(e) The Proposed membership structure and representatives of Schools Forum at Appendix 1 of the report.

(f) The Terms of Reference for Schools Forum be revised as set out in Appendix 2 of the report.

(g) It notes there is currently a vacancy for a representative of Special Academies and the proprietor of the special academy is requested to seek a representative for Schools Forum.

(h) That the Head of Education be requested to contact the Academy proprietors to request they nominate a representative to the Schools Forum.

14. Education Funding Agency Funding Changes for Post 16 (Education Other Than At School) Pupils

Mrs Marie Horton, School Improvement Advisor, presented a report to inform Schools Forum members about the changes to Education Funding Agency (EFA) funding regulations for learners who require additional high needs funding in post 16 organisations. Mrs Horton advised that historically, the Local Authority provided funding for all learners from Education Other Than At School (EOTAS) settings as they progressed into post 16 education irrespective of their Special Educational Need (SEN) and that this included a one off payment to providers of £250 per pupil to support transition.

Mrs Horton responded to members' queries regarding:

- The settings that would benefit from these changes.
- The implementation date for these changes.
- The work pressures on the Special Educational Needs Assessment Team (SENAT) and if they would be able to deliver the service within timescales.

Resolved: That it be noted that:

(a) The Local Authority was reviewing its practice with regard to post 16 high needs funding for EOTAS pupils.

(b) That from September 2017, high needs funding will only be provided for those post 16 learners who have an Education Health and Care Plan.

(c) That the School Improvement Advisor be requested to circulate information before the next meeting of the Forum on how the Special Educational Needs Assessment Team would be delivering this service.

15.**Post 16 High Needs Funding Update**

Mr Paul Davis, SEN/High Needs and Finance submitted a report updating the Forum on the level of funding available and the proposed funding allocations for 2016/17 for post 16 high need students that included students attending further education colleges, independent specialist college and other training providers.

Mr Davis commented on the various issues that influence funding allocations particularly regarding the contingency funding for 81 unconfirmed placements

Resolved: That it be noted that:

(a) The latest projected 2016/17 financial year costs arising from the Local Authority funding responsibilities for Post 16 High Needs Students was estimated at £1.954m for an estimated 311 post 16 (excluding school sixth form) high needs students.

(b) Further to (a) above, this included costs of 36 placements at Independent Specialist Providers (ISP) of £0.383m and indicative allocations to Further Education colleges and training providers of £1.323m for 275 students.

(c) That banding values for the 2016/17 academic year remain at the indicative values notified to Schools Forum in July 2016, which have reduced slightly since the 2015/2016 academic year to fit within the available funding envelope.

16.**2016-17 Dedicated Schools Grant Budget Position**

Mrs Anne Mackay, Finance Manager, Education, submitted a report advising the Forum on the latest projected 2016/17 Dedicated Schools Grant (DSG) retained budget position and on the projected year end position against the 2016/17 retained budgets based upon available information at the end of August 2016.

Mrs Mackay introduced the report and commented on the changes that had taken place since the last report and advised that to the end of August, finances were in a better position than indicated in past reports and that the balance would be added to the existing unallocated DSG balances.

Resolved: That it be noted that:

(a) The latest projection on the 2016-17 retained budget was £0.407m below budget.

(b) Following the projected out-turn position, the unallocated Dedicated School Grant balance will increase to £0.616m.

17.**Monitoring School Balances**

The Forum considered a report submitted by Ms Anne Mackay, Finance Manager, Education, setting out the level of school balances, particularly regarding the planned use of 2014-15 surplus balances during 2015-16 and the use of 2015-16 surplus balances in 2016-17 and beyond.

Mrs Mackay referred to the estimated school revenue balances expected to be held on 31st March 2016 as forecast by schools in December June 2015. She referred members to the planned use of 2015/16 surplus balances during 2016/17 and the use of 2016/17 surplus balances in 2017/18 and beyond. Mrs Mackay advised members of the estimated school revenue balances expected to be held on 31st March 2017 as forecast by schools in June 2016 and estimated school revenue balances expected to be held on 31st March 2018 and 31st March 2019 as forecast

by schools in June 2016.

Mrs Mackay, Mr Ian Burbidge, Head of Finance, Schools and Mr Peter Nathan, Head of Education, responded to members' queries regarding the financial impact on special schools, particularly relating to non-teaching staff and the difficulty for schools to monitor budgets.

Resolved: That it be noted that:

(a) The final 31st March 2016 school revenue balances as compared with the estimated position as forecast by schools in December 2015.

(b) The planned use of schools' surplus balances brought forward at 1st April 2016 and the schools' committed use of these balances in 2016/17.

(c) The schools projected 31st March 2017 surplus balances and the schools' committed use of these balances in 2017/18.

(d) Based on the survey forms received, nineteen schools plan to hold uncommitted balances on 31st March 2017 which exceed the target per pupil values agreed by the Schools Forum.

(e) The analysis of schools' planned use of March 2016 surplus balances in 2016/17.

(f) The indicative future balances to be held by schools at 31st March 2018 and 31st March 2019, taken from the three year budget plans submitted by schools in June 2016.

(g) The number of schools forecasting low balances on 31st March 2017, 31st March 2018 and 31st March 2019.

(h) The school balances claw back mechanism remains in place and the circumstances that need to apply for it to be implemented by the LA.

(i) That the Finance Manager, Education, be requested to circulate the Control of Balance Scheme to maintained schools.

18. Schools Financial Value Standard (SFVS)

Mrs Anne Mackay, Finance Manager Education, submitted a report (a) updating the Forum on the findings of the review of the 2015/16 Schools Financial Value Standard (SFVS) self-assessments, as required by the Department for Education and (b) proposing a consistent process across all relevant schools for future submission.

Mrs Mackay introduced the report and referred to the requirements of SFVS assessments which non-academy schools were required to complete once a year and submit to the Local Authority, to demonstrate that they have sound financial management practice and processes in place. She referred to guidance to be issued by the Local Authority and drew members' attention to Appendix 1 of the report that reflected best practice sample answers. Mrs Mackay thanked the schools for their collaboration in supplying the model answers.

Resolved: That it be noted that:

(a) The Local Authority was issuing guidance on how best to complete the Schools Financial Value Standard return and future submissions should follow this guidance.

(b) The Schools Financial Value Standard assessment forms part of the LA's financial health check of schools and schools may be contacted to verify evidence in support their assessments.

The Forum considered a report by Mr Ian Burbidge, Head of Finance, Schools, that included information on the latest position of the 2016/17 Dedicated Schools Grant (DSG) settlements and budget. He explained that following the Forum's meeting on 12th July 2016, the report addressed (a) an update on the Early Years 30 hours testing, (b) an update on the notional Special Educational Needs top-up funding, (c) the Tuition Services review, (d)) the Special Schools Primary provision, (e) the free school bids affecting Swindon, (f) the impact of the apprenticeship levy on schools in Swindon, (g) the de-delegation of funding, (h) the SALT review, (i) the High Needs moderation and (j), an update on the Early Years Consultation.

Mr Peter Nathan, Head of Education referred to the successful implementation of the 30 hours free childcare offer being tested at Great Western Hospital, the Brunel Centre, Honda and BMW. Mr Burbidge explained how the Notional SEN was assessed and confirmed that whilst a budget of £709k was required, the current budget sat at £400k and proposed a number of changes to the formula to reduce the pressure on the budget.

Mr Peter Nathan and Mr Burbidge responded to members' queries regarding:

- The three Notional SEN calculation proposals submitted for consideration and how they affected main stream provision.
- The proposed consultation regarding the increase in the number of places at Brimble Hill Special School and the infrastructure required if the proposal was approved.
- The promotion of apprenticeships within the Local Authority and the offer of support for schools wishing to employ apprentices.
- The pressures faced by special school staff as the Special Educational Needs Assessment Team would no longer be undertaking the High Needs moderation exercise.
- The impact in Swindon of the Early Years Pupil Premium funding allocation, particularly for pupils with special educational needs.
- The distribution of the 5% Early Years Block funding retained by the Local Authority.

Resolved: That it be noted:

(a) That all mainstream High Needs funded pupils will be included in future calculations.

(b) That a percentage of Age Weighted Pupil Unit (AWPU) is included in the Notional Income calculation and that this was anticipated to be between 1.3% & 1.75%.

(c) The outcomes and recommendations from the tuition service Review.

(d) That the Local Authority intends to consult on increasing the number of pupils at Brimble Hill Special School.

(e) That the Local Authority intends to increase the number of pupils at Crowdys Hill Special School.

(f) The current status of the bids that have been submitted to the Education Funding Agency to provide new free schools in Swindon.

(g) The potential impact of the apprenticeship levy on schools in Swindon.

(h) That members of the Forum be requested to consult with their relevant Headteacher Associations in order that in January 2017, they can vote on de-

delegation arrangements of Free School Meals eligibility, Trade Union and the Nylands Campus Outreach Team.

(i) That the Local Authority will be undertaking a review of the Speech and Language Therapy Service.

(j) That the Minutes of the SEND Project Board be submitted for noting at the next meeting of the Committee on 17th January 2017.

(k) The changes to the High Needs moderation process.

(l) The main aspects of the Early Years funding reform consultation.

20.

Any Other Business

Mr Gareth Cheal, Strategic Planning Manager, explained that in 2014, the Great Western Academy was granted permission to open a Free School in North Swindon and he referred to the work being undertaken in the area.

He advised that the Department for Education (DfE) was reviewing future forecast of school places and decided that a minimum of 120 pupils would be required as the schools' first intake to make it viable. Discussions with the DfE had been undertaken and it was agreed that Swindon would underwrite the first cohort of 120 pupils.

Resolved: That members of the Committee submit comments to the Strategic Planning Manager regarding this arrangement by 4th November 2016.

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

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WILTSHIRE POLICE AND CRIME PANEL

DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 1 SEPTEMBER 2016 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Junab Ali, Cllr Abdul Amin, Alan Bishop, Cllr Richard Britton (Chairman),
Cllr Trevor Carbin, Cllr Chris Caswill, Chris Henwood, Cindy Creasy,
Cllr Peter Hutton, Cllr Gordon King, Cllr John Smale, Sydney-Smith and
Cllr Tony Trotman (Substitute)

Also Present:

Angus Macpherson – Police & Crime Commissioner
Kieran Kilgallen – OPCC
Chris McMullen – OPCC
Carolyn Filmore – OPCC
Naji Dawish – OPCC
Henry Powell – Wiltshire Council
Kevin Fielding – Wiltshire Council

1 Apologies for Absence

Apologies were received from Emily Higson – Wiltshire Council and Cllr Julian Johnson. Cllr Tony Trotman was welcomed to the meeting as substitute for Cllr Johnson.

2 Minutes and matters arising

Decision:

- The minutes of the meeting held on Thursday 16 June 2016 were agreed as a correct record and signed by the Chairman.

3 Declarations of interest

There were no declarations of interest.

4 Chairman's Announcements

The Chairman advised that he would be attending the 2016 PCP Conference on Thursday 20 October and asked if any other Panel members would be interested in attending this event. Cllr Junab Ali expressed an interest in attending.

5 Public Participation

The Commissioner was asked "What process of consultation with Swindon residents was carried out re the New Policing Model". The Commissioner advised that the New Policing Model had been successfully piloted in the Trowbridge and Warminster community areas and was now being rolled out Wiltshire wide and then Swindon. Wiltshire Police had outlined the NPM at Wiltshire Council Area Boards and would outline at Swindon Borough Council Local Locality meetings.

6 Quarterly data (Q1)- Risk / Performance / Finance / Complaints - including drugs information

The Commissioner outlined a report setting out his quarterly performance data – Quarter One 2016-17 (1 April to 30 June 2016).

Points made included:

- 9,607 crimes were recorded during quarter one.
- In the 12 months to June 2016, 38,081 crimes were recorded. This represents an increase of 14 per cent on the previous 12 months.
- Nationally, there continues to be an increase in recorded crime, with the latest Crime Survey of England and Wales (CSEW) citing an eight per cent increase in police recorded crime in the 12 months to March 2016.
- This CSEW estimates that actual incidents of crime have reduced by six per cent during the same period.

- That there had been a slight rise in hate crime after the Brexit referendum, this however was not as high as other parts of the UK.
- That Wiltshire Police should consider “Pop up police stations” in village halls and shopping precincts and supermarkets across the county to increase its visibility.
- The importance of officers being out in the community and not stuck in police stations.
- The importance of the police tapping into volunteer schemes such as speed watch.
- That the new IT tech was slowly being rolled out to officers across the county.

The report was noted.

Deep Dive – Prevent Crime and ASB

The report was noted.

Risk Register – Quarter One 2016-17 (1 April to 30 June 2016).

The report was noted.

The Chairman thanked the Commissioner for his report

7 Community Policing - Verbal Update

Kieran Kilgallen gave a brief verbal update.

Points made included:

- That the Salisbury community area would be the next in the rollout program.
- New staffing rosters had now been allocated to teams.
- Staff workloads identified.
- IT work streams identified.
- Work ongoing at Gable Cross and Bourne Hill.

- That officers and back office staff had received training on the new way of working.

The Chairman thanked Kieran Kilgallen for his update.

8 **Tri-Force collaboration programme**

Failure to agree Tri-PCP Task Group.

- The Chairman expressed the Police and Crime Panel's frustrations at the Commissioners reluctance to work with them in agreeing a Tri-PCP Task Group.

Verbal update on progress.

- The Chairman advised that the Tri-PCPs would continue to collaborate.

Future reporting.

- That an update would be available at the December 2016 meeting, OPPC to liaise with Henry Powell.

9 **Restorative Justice - Out of court settlements**

A brief update was given by OPPC members.

Points made included:

- That pilot programs were now being set up by Wiltshire Police.
- That officers were now being trained in restorative justice to increase their understanding and improve the take up of restorative justice
- The benefits of bringing victims of crime and perpetrators together.
- That the panel had concerns re the poor take up of restorative justice.

It was agreed that the panel would re-visit this topic in 12 months time and that it would be added to the forward work plan for inclusion in the September 2017 meeting agenda.

The Chairman thanked the OPPC for the update.

10 Wiltshire Criminal Justice Board - Verbal Update

It was agreed that a written report would be brought to the December 2016 meeting.

11 Recruitment of Specials - Verbal Update

The Commissioner gave a brief verbal update.

Points made included:

- That some 200 applications had been received.
- Assessments would begin during September 2016.
- That a further update would be given at the December 2016 meeting.

The Chairman thanked the Commissioner for his update.

12 Task group updates

- PCC Commissioning Strategy Task Group – Noted, full update at December meeting.
- Specials Task Group – Noted, full update at December meeting.

13 PCC Diary report

The PCC Diary report was noted.

14 Forward Work Plan

The Forward Work Plan was noted.

15 **Future meeting dates**

The next meeting of the Police and Crime Panel will be on Thursday 1 December 2016 at the Swindon Borough Council offices.

(Duration of meeting: 10.00 am - 1.15 pm)

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