



SWINDON BOROUGH COUNCIL

Municipal Year 2017/18

Meeting of Council on Thursday, 28 September 2017

ITEM - MINUTES OF OTHER COUNCIL BODIES

SECTION 1 - SPECIAL, AUDIT AND STANDARDS COMMITTEES

1. Minutes of meeting Wednesday, 19 July 2017 of Special Committee (Pages 5 - 6)
2. Minutes of meeting Tuesday, 27 June 2017 of Audit Committee (Pages 7 - 10)
3. Minutes of meeting Monday, 17 July 2017 of Standards Committee (Pages 11 - 12)

SECTION 2 - OVERVIEW AND SCRUTINY COMMITTEES

4. Minutes of meeting Monday, 17 July 2017 of Scrutiny Committee (Pages 15 - 18)
5. Minutes of meeting Monday, 7 August 2017 of Scrutiny Committee (Pages 19 - 24)
6. Minutes of meeting Wednesday, 5 July 2017 of Children's Health, Social Care and Education Overview and Scrutiny Committee (Pages 25 - 28)
7. Minutes of meeting Wednesday, 28 July 2017 of Communities and Place Overview and Scrutiny Committee (Pages 29 - 32)

8. Minutes of meeting Wednesday, 21 June 2017 of Growing the Economy Overview and Scrutiny Committee (Pages 33 - 34)

SECTION 3 - REGULATORY COMMITTEES

9. Minutes of meeting Tuesday, 11 July 2017 of Planning Committee (Pages 37 - 38)
10. Minutes of meeting Tuesday, 8 August 2017 of Planning Committee (Pages 39 - 40)
11. Minutes of meeting Thursday, 15 June 2017 of Licensing Committee (Pages 41 - 42)
12. Minutes of meeting Thursday, 6 July 2017 of Licensing Committee (Pages 43 - 44)
13. Minutes of meeting Wednesday, 28 June 2017 of Licensing Panel (Pages 45 - 48)
14. Minutes of meeting Wednesday, 5 July 2017 of Licensing Panel (Pages 49 - 52)
15. Minutes of meeting Friday, 7 July 2017 of Licensing Panel (Pages 53 - 58)
16. Minutes of meeting Monday, 10 July 2017 of Licensing Panel (Pages 59 - 64)
17. Minutes of meeting Thursday, 17 August 2017 of Licensing Panel (Pages 65 - 70)
18. Minutes of meeting Tuesday, 29 August 2017 of Education Transport Appeals Sub-Committee (Pages 71 - 72)

SECTION 4 - CHILDREN SERVICES BODIES

19. Minutes of meeting Tuesday, 4 July 2017 of Schools Forum (Pages 75 - 80)
20. Minutes of meeting Tuesday, 27 June 2017 of Standing Advisory Council on Religious Education (Pages 81 - 84)

SECTION 5 - POLICE AND FIRE AUTHORITIES

21. Minutes of meeting Thursday, 29 June 2017 of Wiltshire Police and Crime Panel (Pages 87 - 92)
22. Minutes of meeting Tuesday, 27 June 2017 of Dorset and Wiltshire Fire Authority (Pages 93 - 100)
23. Minutes of meeting Tuesday, 11 July 2017 of One Swindon Leadership Board (Pages 101 - 106)

Section 1

Special, Audit and Standards Committee Minutes

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SPECIAL COMMITTEE

WEDNESDAY, 19 JULY 2017

PRESENT:- Councillors David Renard (Chair), Fionuala Foley, Brian Ford, Jim Grant, Russell Holland (Vice-Chair), Cathy Martyn, Des Moffatt, Stan Pajak, Garry Perkins, Jane Milner-Barry and James Robbins.

Apologies for absence were received from Councillors Steve Allsopp and Kevin Small.

1. Declarations of Interest

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

2. Minutes

Resolved –That the minutes of the meeting held on 13th April 2017 be confirmed and signed as a correct record.

3. Public Question Time

There were no public questions.

4. Exempt Items - Exclusion of Press and Public

That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the item listed below, on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

<u>Item No.</u>	<u>Paragraph No.</u>	<u>Minute No.</u>
6	1 and 2	7

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

In accordance with Section 100B(4)b of the Local Government Act 1972, the Chair advised that the report "Appointments to Committees" would be considered as a matter of urgency in order to avoid any unnecessary delay in implementing proposed changes to committee memberships and to ensure that the committees in question were fully appointed before the commencement of the next cycle of Committee meetings.

6. Appointments to Committees

The Director of Law and Democratic Services submitted a report seeking the Committee's approval to several changes to the Conservative Group's memberships of Council Committees.

Resolved – That the following changes to the memberships of Committees be approved:

- (1) Councillor Malcolm Davies to replace Councillor Vera Tomlinson as a Conservative Group representative on the Planning Committee.
- (2) Councillor Caryl Sydney-Smith to replace Councillor Malcolm Davies as a Conservative Group representative serving on the Children's Health, Social Care, and Education Overview and Scrutiny Committee.

7. Organisational Changes

The Leader of the Council and the Chief Executive submitted a joint report on proposed alterations to Council's senior management structure. The Chief Executive introduced the report, placing the proposals in the context of notifications of retirement and resignation received from several officers in key posts and also the significant budget pressures facing the Council. The Chief Executive advised that it was anticipated that the changes to the management structure, proposed in the report, would realise ongoing budget savings in the region of at least £100k.

Resolved – (1) That the current reporting lines to the Corporate Director of Communities and Place be amended as described in the report and in the structure chart attached to the report at Appendix 2.

(2) That the post of Corporate Director of Communities and Place be re-designated as Corporate Director of Communities and Housing and that the recruitment of a replacement to the re-designated post of Corporate Director of Communities and Housing be authorised.

(3) That the current post of Head of Delivery Assets be deleted from the Establishment.

(4) That the post of Head of Localities, Community Engagement and Volunteering, be deleted from the Establishment and that responsibilities of that former-post be realigned to the Director of Public Health and the Head of Streetsmart.

(5) That the current post of Corporate Director of Economy, Skills and Regeneration, be deleted from the Establishment and that the reporting lines associated with that former-post be re-distributed to the new post of Head of Economy and Regeneration, reporting to the Corporate Director, Resources and Growth, and that recruitment to this new post be authorised.

(6) That it be agreed that the Strategic Commissioner Routes to Employment be realigned to the Director of Children's Services (DCS) to reflect the synergy of that service with Children's Services and to help ensure that obvious linkages are better aligned with Education, Skills and Employment opportunities.

(7) That the alteration in reporting lines to the Corporate Director of Resources and Transformation, detailed in the report and in Appendix 2, be agreed and that this post be re-designated as Corporate Director of Resources and Growth.

(8) That the transfer of the Revenues and Benefits Service from the Director of Law and Democratic Services to the Director of Finance (Section 151 Officer) be noted.

(9) That it be also noted that, for purposes of continuity, the current Corporate Director of Communities and Place will remain as Managing Director of Public Power Solutions (PPS).

(10) That any alterations to any future role titles and service re-alignments be reflective of the current market place, in order for retention and also future attraction to posts.

(11) That the Director of Law and Democratic Services be authorised to amend the Council's Constitution to accord with these decisions.

(12) That the above decisions be implemented with effect from 1st August 2017.

AUDIT COMMITTEE

TUESDAY, 27 JUNE 2017

PRESENT:- Councillors Steve Weisinger (Chair), John Ballman, Malcolm Davies, Mary Friend, Des Moffatt and Kevin Small.

An apology for absence was received from Councillor Nick Martin.

1. Appointment of Vice-Chair

Resolved – That Councillor Nick Martin be Vice-Chair of this Committee for the Municipal Year 2017/18.

2. Declarations of Interest

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

3. Public Question Time

There were no public questions.

4. Minutes

Resolved - (1) That the minutes of the meeting held on 4th April, 2017, be confirmed and signed.

5. Corporate Fraud Team presentation

The Committee received a presentation regarding the work of the Corporate Fraud Team. The Principal Auditor advised that following a successful bid to the Department for Communities and Local Government for counter fraud funding in 2014, a team was set up to focus on the prevention and detention of Housing Tenancy Fraud with the aim of promptly recovering properties being misused. It was noted that the team was now being funded through the housing budget following successful results. The Principal Auditor referred to the role of the team and elaborated on the areas being investigated and invited the Committee to note the team's successes and the revenue that had been generated to date as a result of its introduction. In order to better explain the work being undertaken by the team, the Principal Auditor took members through an example case. The Committee noted that data was collated nationally to aid the benchmarking process.

The Principal Auditor responded to members' questions and comments on the following:

- The interview process and confirmation that those interviewed were not normally under police caution.
- The financial implications when people were prosecuted.
- Actions undertaken to address the misuse of disabled blue badge parking permits.
- Discounts saved through checks carried out on right to buy applications.

- Actions taken to address tenants unlawfully living in a property.
 - The work of the building control officers.
 - Confirmation of continuing single person status was requested from tenants every two years for council tax purposes.
 - Academy staff recruitment processes.
- Resolved – That the report be noted.

6. Treasury Management Performance 2016/17

The Committee received a report of the Director of Finance (Section 151 Officer), setting out the Treasury Management performance for 2016/17. The Director presented the report and responded to questions regarding the investment associated with the Housing Revenue Account, the investment capital programme for 2016/17, long and short term loans, the profile of repayment of these loans and the future of the Public Works Loan Board.

Resolved – (1) That the 2016/17 Treasury Management performance, as detailed at paragraphs 3.1 to 3.17 of the report, and the Prudential Indicators shown at Appendix 1 to the report, be noted.

(2) That the Director of Finance circulate information regarding the investment associated with the Housing Revenue Account.

(3) That the Director of Finance provide an information on the duration of long-term borrowing, based on the term at the time the borrowing was undertaken

(4) That the Director of Finance inform Elected Members if changes to the Public Works Loan Board are to be implemented.

7. Audit Committee: Annual Report 2016/17

The Chair of the Committee introduced the Committee's Annual Report for 2016/17.

Resolved – (1) That the report be noted.

(2) That the Head of Internal Audit and his team be thanked for all their hard work in support of the Council's audit function over the course of the year.

8. Audit Committee: Terms of Reference and Work Plan

The Committee received a report of the Head of Internal Audit on the Audit Committee's terms of reference and details of the Committee's draft work programme for 2017/18.

Resolved – That the Audit Committee's terms of reference and its draft work programme for 2017/18, appended to the report, be approved.

9. Head of Internal Audit Annual Report

The Committee received the Head of Internal Audit's Annual Report for 2016/17. 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 governance, risk management and internal control arrangements 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.

The Head of Internal Audit responded to members' questions and comments on the following:

- The importance of auditing business partners.
- Areas requiring targeted focus to progress from "moderate" to "high" standards and the need for cabinet members to be proactively involved in the process.
- The recruitment of a Senior Auditor.
- Contract management, particularly relating to the delivery of the Housing Capital programme.

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 2016/17 were found to be satisfactory, resulting in an overall risk assessment to the Council as being 'moderate' be noted.

10. DRAFT Annual Governance Statement

The Head of Internal Audit submitted a report providing the Committee with details of the draft Annual Governance Statement 2016/17, setting out the Council's governance arrangements and providing an assessment of the performance of those arrangements over the year. He commented on the key areas of focus that included GCSE attainment and the transfer of staff from SEQOL. He responded to a query regarding the Local Authority's involvement with academies to raise attainment standards and on the working relationship between the Local Authority and academies.

Resolved – (1) That the draft Annual Governance Statement 2016/17, appended to the report, be approved.

(2) That it be noted that the final version of the Annual Governance Statement would be signed off by the Leader of the Council and the Chief Executive in September 2017.

(3) That the Head of Education be requested to submit a report regarding the work being conducted with academies to raise attainment standards in schools.

11. Update regarding changes to arrangements for appointment of an External Auditor

The Head of Internal Audit submitted a report updating the Committee regarding the arrangements for appointing External Auditors following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits. He referred to the Auditor Appointment Timetable that reflected the procurement process and members noted that there were five contracts for the bids.

Resolved – That the updated position regarding the appointment of External Auditors including the timescales for challenging any appointment, report be noted.

12. External Audit - progress and update report

Chris Hackett (Grant Thornton) presented the Audit Committee Progress and Update Report for the Council for the year ended 31st March 2017, referring to the progress, as at 14th June 2017, in respect of the delivery of their audit responsibilities and also the timetable of work being undertaken by the External Audit team, including deadlines for work to be undertaken. The report also included

a summary of key emerging national issues and developments that might be of interest to the Committee. Mr Hackett responded at the meeting regarding the purpose of the annual school pension return and the property investments being undertaken by the Local Authority. He confirmed that property investment currently represents best value for money for the Local Authority.

Resolved – That the Update and Progress Report for the year ended 31st March 2017 be accepted.

13. 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 in April 2017, progress made against the Annual Internal Audit Plan 2016/17 and Internal Audit staffing and resource issues. The Head of Internal Audit advised that a more structured project management approach to guide the TUPE was necessary to ensure consistency and robustness to the process. He confirmed that designated officers from the Legal and Finance departments would be involved in any transfer processes.

Resolved – (1) That the report be noted.

(2) That, in addition to the Audit reports scheduled for consideration at the next meeting of the Committee, the Head of ICT be requested to update the Committee on the position regarding the Council's IT Security arrangements and IT Service provision.

(3) That an update on the effects of Universal Credits on housing rent collections be submitted at the next meeting of this Committee.

STANDARDS COMMITTEE

MONDAY, 17 JULY 2017

PRESENT:- Councillor David Wood (Chair), Councillor Jane Milner-Barry, Councillor Teresa Page, Councillor Kevin Parry, Councillor Timothy Swinyard, Councillor Steve Weisinger, Councillor Caryl Sydney-Smith (Deputy), Mr Paul Morris, Mr Keith Strickland, Mr Trevor Davies and Mr Richard Hailstone.

Apologies for absence were received from Councillor Eric Shaw, Councillor Vera Tomlinson, Councillor Joe Tray, Mr David Dawson and Mick Compton.

1. Appointment of Vice-Chair of the Committee

Resolved – That Councillor Steve Weisinger be Vice-Chair of the Standards Committee for the Municipal Year 2017/2018.

2. Declarations of Interest

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

No declarations of interest were made.

3. Minutes

Resolved – That the minutes of the meeting held on 27th March 2017 be confirmed and signed as a correct record.

4. Public Question Time

There were no public questions.

5. Exempt Items - Exclusion of Press and Public

Resolved – That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the item listed below on the grounds that it involved the likely disclosure of exempt information as defined in the respective paragraphs of Part 1 of Schedule 12A of the Act.

<u>Item No.</u>	<u>Paragraph Nos.</u>	<u>Minute No.</u>
10	1 and 2	9

6. Standards Committee Annual Report

The Committee was asked to consider its Draft Annual Report for 2016/17 which provided a record of the work of the Standards Committee for the period 1st June 2016 to 31st May 2017.

Resolved – (1) That the Draft Standards Committee Annual Report 2016/17, attached at Appendix 1 to the report, be agreed.

(2) That the Director of Law and Democratic Services be authorised to finalise the document for publication on the Council's website.

7. Annual Work Programme

The Committee considered a report of the Director of Law and Democratic Services inviting the Committee to agree its Work Programme for the 2017/2018 Municipal Year.

Resolved – (1) That the Committee's draft Work Programme for 2017/2018, as attached at Appendix 1 to the report, be agreed.

(2) That it be noted that the proposed work programme was sufficiently flexible to accommodate any unforeseen matters that might arise in relation to the Council's Ethical Framework.

8. Ethical Framework Update

The Committee received a report from the Director of Law and Democratic Services providing an update on matters relating to the Ethical Framework, including:

- Dispensations
- Membership of the Standards Committee – Parish Representatives
- Draft Annual Governance Statement
- Summary of Code of Conduct Complaints
- Member Training

Resolved – (1) That the Ethical Framework Update report be noted.

(2) That the draft Annual Governance Statement, attached at Appendix 1 to the report, be approved to be signed off by the Leader and Chief Executive.

9. Ethical Compliance Report

The Committee considered a report of the Director of Law and Democratic Services regarding the outcome of various ethical compliance matters, including the details of any Whistleblowing cases, breaches of the Member / Officer Protocol, and Code of Conduct complaints received since the last Committee, and the outcome of any completed investigations in relation to these.

Resolved – That the Ethical Compliance report be noted.

Section 2

Overview and Scrutiny Committee Minutes

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SCRUTINY COMMITTEE

MONDAY, 17 JULY 2017

PRESENT:- Councillors Robert Wright (Chair), Ray Ballman, Mark Dempsey, Claire Ellis, Dale Heenan, Emma Faramarzi (Vice-Chair), Des Moffatt, Kevin Parry, James Robbins, Gary Sumner, Chris Watts and Steve Weisinger

Councillors David Renard (Leader of the Council), Toby Elliott (Cabinet Member for Strategic Planning and Sustainability), Fionuala Foley (Cabinet Member for Children's Services and School Attainment), Brian Ford (Cabinet Member for Adults' Health and Social Care) and Russell Holland (Deputy Leader of the Council and Cabinet Member for Finance and Commercialisation)

Apologies for absence were received from Councillors Timothy Swinyard and Vera Tomlinson

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. Councillor Kevin Parry made a personal, non-prejudicial declaration of interest in respect of agenda item 5 Consideration of Cabinet Decisions – Minute 23 – References from other Council Bodies – Health and Wellbeing Board, as he was a Governor at the Great Western Hospital.

9. Public Question Time

No public questions were received during the meeting.

10. Minutes

Resolved – That the minutes of the meeting held on 19th June 2017, be confirmed and signed as a correct record subject to minute 4(a) 6(2) being amended as follows:

‘That the Adult’s Health, Adult’s Care and Housing Overview and Scrutiny Committee be asked to consider, at its meeting on 19th September 2017, an interim report on fire safety standards for residents of tenants in high rise blocks, in light of the tragic fire at Grenfell Tower, London’.

11. Consideration of Cabinet Decisions

16. *Grenfell Tower, London*

Resolved – That Minute 16 of the Cabinet be noted.

20. *Budget Management Update*

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance and Commercialisation, responded to questions put by the Chair and

Councillors Mark Dempsey, Dale Heenan, Des Moffatt, James Robbins, Gary Sumner and Chris Watts on the following matters:

- Savings associated with the first phase of the headcount reduction programme.
- The increase in demand for support for people with a physical disability following the transfer of clients previously funded by Health to the Housing Revenue Account Shelter Schemes.
- The funding of the transfer referred to above.
- Housing acquisition programme, improvements to properties and the cost floor continuing to apply to these properties.
- Updates on the identification of savings opportunities in relation to procurement and proposals being developed for digitisation.
- Delivery of savings and proposals to maintain targets.
- Overspend on the Housing Revenue Account and reasons for the variances.
- Streetsmart budget pressures and proposals to balance the budget.
- Collection of waste from community centres run by Parish Councils.
- Overspends within the General Fund and identification of savings to bridge gaps.
- Pressures created in Housing Services budgets by the loss of the £60 admin fee on private sector leasing properties.
- Reduction in funding to the council following the introduction of the Flexible Homeless Support Grant.
- The impact of the Support Grant tenants leasing private sector properties.
- Universal Credits and a reduction in the level of rental income collected.
- The affordability of new homes for potential purchasers on low incomes.
- Housing developments on land not included in the Local plan.
- Affordable housing and more realistic solutions for purchasers.
- Provision of affordable housing within small developments.
- Lead in times for Universal Credits and work undertaken by the Citizens Advice Bureau.
- The pressures on the Adult Services budget due to the unexpected demand from young people with physical difficulties.
- The underlying causes for the increased number of applications to court for care orders to protect children.
- Collection of car parking penalty charge notices compared with the collection of Council Tax debts.

Resolved – That Minute 20 of the Cabinet be noted.

21. *Education Transport Policy 2018/19*

Councillor Fionuala Foley, Cabinet Member for Children's Services and School Attainment, responded to questions put by the Chair and Councillors Mark Dempsey, Dale Heenan and Gary Sumner on the following matters:

- The impact of the changes within the Education Transport Policy 2018/19.
- Transport support for 16 to 18 year olds.
- The delivery of the digitalisation of the service and travel apps to assist parents when taking up personalised travel budgets.
- Maintaining the existing transport arrangements within the Ridgeway transport area.

- Decisions on discretionary support made on a case by case basis.

Resolved – That Minute 21 of the Cabinet be noted.

22. *Debt Management*

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance and Commercialisation, responded to questions put by the Chair and Councillors Des Moffatt and Chris Watts on the following matters:

- The records held by the Council of housing tenants who were or currently are on a debtors list due to arrears in paying rent.
- Comparisons between private tenants and Council tenants and future access to Council housing lists if they are in arrears with their rent.
- Use of additional resources to contact customers prior to summonses being issued for non-payment.
- The use of bailiffs to collect outstanding Council Tax from repeat offenders as a last resort.
- The reduction in number of summonses issued for Council Tax recovery in 2016/17 compared to 2013/14

Resolved – That Minute 22 of the Cabinet be noted.

23. *References from other Council Bodies – Health and Wellbeing Board*

Councillor Brian Ford, Cabinet Member for Adults' Health and Social Care, responded to questions put by the Chair and Councillor Dale Heenan on the following matters:

- The discussions held with partners in relation to the Better Care Fund.
- Improvements to the care provided, in particular the re-ablement service.
- The use of the fund by the Sustainable Transformation Partnership.
- Potential uses of the £215,000 unallocated in the contingency fund.
- Opportunities to support people in hospital suffering from loneliness and isolation.

Resolved – That Minute 23 of the Cabinet be supported and noted.

24. *Site in South East Swindon – Proposed Disposal and Collaboration Agreement*

Councillor Toby Elliott, Cabinet Member for Strategic Planning and Sustainability, responded to questions put by the Chair and Councillors Ray Ballman, Mark Dempsey, Dale Heenan and Des Moffatt on the following matters:

- Support for the development proposal and collaboration agreement.
- Affordable housing within the scheme and the potential for income generation to Swindon through Housing Associations.
- Rental amounts for the Sheltered housing element of the scheme.
- The ability of first time buyers to purchase properties within the development.
- Payment of the Community Infrastructure Levy.

- The geographical scope of the community fund and the locally driven initiatives to improve the conditions and life chances for residents within the prescribed area.
- The parcels of land within the development.
- The future of the Oakfield Project and evening club for people with learning disabilities

Resolved – That Minute 24 of the Cabinet be noted.

12. Work Programme 2017/18

The Committee considered a report of the Director of Law and Democratic Services setting out the topics for inclusion in the 2017/18 Scrutiny Work Programme as agreed by the Committee at its meeting on 19th June 2017 and copies of the Overview and Scrutiny Committees' Work Programmes for 2017/18.

The Committee were reminded that discussions had taken place about the development of the Scrutiny process and the introduction of a government style 'Green Paper' approach. This approach would allow Members the opportunity to be involved in the oversight and development of matters of interest detailed in the Cabinet Forward Plan, prior to Cabinet consideration.

The Chair informed the Committee that the Overview and Scrutiny Committees' Work Programmes had been circulated so that the Committee could consider the most appropriate way to deal with those topics that appeared on more than one Overview and Scrutiny Committee work programme, in order to reduce duplication and the production of multiple reports by officers.

Resolved – (1) That the work programme 2017/18 be noted, subject to the inclusion of a review of Full Council decisions and their implementation.
(2) That the Scrutiny Committee review reports/topics of the five Overview and Scrutiny Committees' work programmes when requested to do so by a Member of the Council.

13. 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, 7 AUGUST 2017

PRESENT:- Councillors Robert Wright (Chair), Steve Allsopp, Claire Ellis, Emma Faramarzi (Vice-Chair), Dale Heenan, Gemma McCracken, Nick Martin, James Robbins, Gary Sumner and Timothy Swinyard

Councillors Toby Elliott (Cabinet Member for Strategic Planning and Sustainability) and Brian Ford (Cabinet Member for Adults' Health and Social Care)

Apologies for absence were received from Councillors Ray Ballman, Mark Dempsey and Des Moffatt, Kevin Parry and Chris Watts

14. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. The following declarations were made:

- Councillor Gary Sumner made a personal, non-prejudicial declaration of interest in respect of agenda item 6 ("Cabinet Member Question and Answer session - Cabinet Member for Adults' Health and Social Care"), as he was a Director of Nationwide Property Lettings.
- Councillor Toby Elliott made a personal, non-prejudicial declaration of interest in respect of agenda item 5 ("Cabinet Member Question and Answer session - Cabinet Member for Strategic Planning and Sustainability"), as he worked for Network Rail Infrastructure Ltd.

15. Public Question Time

There were no public questions.

16. Minutes

Resolved – That the minutes of the meeting held on 17th July 2017, be confirmed and signed as a correct record.

17. Cabinet Member Question and Answer Session - Cabinet Member for Strategic Planning and Sustainability

Councillor Toby Elliott, Cabinet Member for Strategic Planning and Sustainability, 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 Spatial 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)
- Sustainability
- Strategic flood and water management
- Public Power Solutions (PPS) – Client
- Strategic Transport Network
- New proposed major road schemes
- Major road schemes outside the town centre (inter alia Junction 16, Greenbridge, etc.)

In overseeing these areas, the Cabinet Member for Strategic Planning and Sustainability is responsible for delivering Priority One: Improve infrastructure and housing to support a growing, low-carbon economy and Pledges 1, 2, 4, 9, 13 and 14 of Swindon's vision for 2016-2020, as follows:

- Pledge 1: Deliver the Government standard Superfast Broadband coverage to all commercial and domestic premises in the Borough by 2017.
- Pledge 2: Construct solar arrays on Council-owned land at Common Farm, Chapel Farm and a solar noise barrier along roads including the M4 at Wichelstowe.
- Pledge 4: Make the case to Government to invest in a Thamesdown Drive extension and surrounding road improvements.
- Pledge 9: Develop Council-owned brownfield sites at Oakfield, and other sites as they become available for housing.
- Pledge 13: Improve highway linkages to the Eastern Villages, particularly around the White Hart roundabout.
- Pledge 14: With Barratt Homes we will build up to 3,500 homes in Wichelstowe including the development of a district centre.

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.

Councillor Elliott responded to the observations and questions put by the Chair and Councillors Steve Allsopp, Emma Faramarzi, Dale Heenan, Gemma McCracken, Nick Martin, James Robbins, Gary Sumner and Tim Swinyard on the following matters:

- Progress with developers and land owners in relation to the New Eastern Villages development.
- Staffing levels within the New Eastern Villages team.
- Issues affecting the completion of the New Eastern Villages development.
- The Councils relationship with developers from Wiltshire and Oxfordshire.
- The relationship between the Local Plan and developers.
- Land values and the potential effect on developments.

- The impact of the decision by the Secretary of State to allow a housing development in Wroughton.
- The help and support required by the Cabinet member in any future challenge to the decision made by the Secretary of State.
- Regeneration of the town centre.
- The impact of development along the A420 corridor.
- Solar noise barrier along roads including the M4 and Wichelstowe.
- Delivery of superfast broadband for home owners and businesses and new ultrafast broadband locations.
- The capacity of mobile phone company 3, delivering superfast broadband in Swindon.
- Developers and the placing of notices for land in Swindon.
- Issues associated with the current road infrastructure in west Swindon.
- The resourcing of the Planning Team.
- Timescales for considering planning applications.
- Improving the user experience of the Council's planning service through digitalisation.
- The priority given to different planning applications.
- Information available to borough councillors and parish councillors in relation to Section 106 payments and how the fund is utilised in each ward/parish.
- The publication of suitable long term development sites in Swindon.
- Town centre developments, conversion of office buildings to residential and availability of affordable housing.
- The oversupply of car parking spaces in the town centre and potential use by residents during off-peak hours.
- Swindon 2050 and the town's infrastructure needs.
- Future growth of Swindon and cooperation with neighbouring Councils.
- Alternatives to the use of bus lanes, including bus priority and rapid transport schemes.
- Impact of speed bumps on the increase in pollution from diesel cars.
- Connecting green spaces within Swindon for the benefit of cyclists and walkers.

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

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

18. Cabinet Member Question and Answer Session - Cabinet Member for Adults' Health and Social Care

Councillor Brian Ford, Cabinet Member for Adult's Health and Social care, 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:

- Adult Services (older people, people with a learning disability, physical disabilities, and mental health);
- Adult Voluntary Sector Contracts;

- Implementation of Care Act 2014;
- Adult Local Safeguarding Board;
- Public Health – Adults including Health Improvement and Sexual Health;
- Supported Housing;
- Learning Disability Partnership Board;
- Maintaining links between the Council and partner organisations in the Health Services;
- Oversight of Better Care Fund and integration with Adult Social Care (ASC) and Clinical Commissioning Group Funding (CCG).

The Cabinet Member for Adult Health and Social Care is also responsible for delivering Priority Four and Pledges 26, 27 and 30 of Swindon's vision for 2016-2020, as follows:

- Pledge 26: Working with the Clinical Commissioning Group (CCG) and GP surgeries to help people with long term health and social care needs to manage their health effectively with support from community groups and multidisciplinary teams.
- Pledge 27: Ensuring that more people and their carers are supported to live as independently as possible and reducing the length of time people need to spend in residential care.
- Pledge 30: Reducing smoking prevalence to less than England average.

At the request of the Chair, Councillor Ford, 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.

Councillor Ford responded to questions from the Chair and Councillors Steve Allsopp, Nick Martin, James Robbins and Gary Sumner on the following matters:

- The lack of GP provision in Swindon, impact on the services provided by the Great Western Hospital and discussions with the Clinical Commissioning Group to resolve issues.
- Provision of medical facilities within new developments.
- Local mental health provision and consultation results on the transfer of patients to Green Lane, Devizes.
- Key worker properties included in new developments.
- The programmes in place to help resolve local health inequalities.
- The reduction in diabetes and its impact on health inequalities.
- Statistical information about Chlamydia.
- Savings target within the Adult Social Care budget and how this would be achieved.
- The impact of Brexit on the nursing and care sector and its impact on EU nationals working in Swindon.
- Universal credit and its impact on vulnerable people.

- The impact on Adult Social Care budgets in relation to the funding received from the Government.
- Joint working with the Clinical Commissioning Group.
- The impact of health programmes on residents behaviours and lifestyles.
- The positive impact on the health of residents living in homes fit for purpose.

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

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

19. Work Programme 2017/18

The Committee considered a report of the Director of Law and Democratic Services setting out the topics for inclusion in the 2017/18 Scrutiny Work Programme as agreed by the Committee at its meeting on 19th June 2017 and 17th July 2017.

The Committee received an update about the scheduling of additional reports, requested at the last Scrutiny Committee meeting, within the Work Programme 2017/18.

Resolved – That the work programme 2017/18, as revised, be noted.

20. 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.

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

WEDNESDAY, 5 JULY 2017

PRESENT:- Councillors Gary Sumner (Chair), Mathew Courtliff, Matthew Courtliff, Malcolm Davies, Henderson, Fay Howard, Colin Lovell, Gemma McCracken, Barbara Parry, Paul, Gary Sumner (Chair) and Nadine Watts.

Gary Evans (Swindon Association of Primary Headteachers), Steve Henderson (Equalities Advisory Forum), Doug Morris (Swindon Parent and Cares Group), Alison Paul (Swindon Association of Special Schools Headteachers), Elaine Poulter (Parent Governor).

An apology for absence was received from Councillor Carol Shelley.

Apologies for absence were received from Steve Colledge (Swindon Association of Secondary Headteachers) and Liz Townend (Church of England Diocese).

Also present: Councillor Fionuala Foley, Cabinet Member for Children's Services and School Attainment.

1. Appointment of Vice-Chair

Resolved – That Councillor Gemma McCracken be Vice-Chair of this Committee for the Municipal Year 2017/18.

2. Declarations of Interest

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

Councillor Fay Howard made a non-prejudicial personal declaration of interest in respect of Agenda item 8 (Annual Quality Accounts 2016-17 – Great Western Hospital) on the grounds of her employment by Virgin Care.

Councillor Barbara Parry made a non-prejudicial personal declaration of interest in respect of Agenda item 9 (Children's Services Performance Report) on the grounds of her employment by Uplands Educational Trust.

Councillor Gary Sumner made non-prejudicial personal declarations of interest in respect of Agenda item 9 (Children's Services Performance Report) on the grounds that his wife was a deputy Headteacher at a Swindon School.

3. Minutes

Resolved -That the minutes of the meeting held on 29th March be confirmed as a correct record.

4. Public Question Time

No public questions were asked or submitted for this meeting.

5. Appointment of Co-optees

The Committee considered a report by the Director of Law and Democratic Services regarding the appointment of co-optees to the Children's Health, Social Care and Education Overview and Scrutiny Committee for the Municipal Year 2017/18.

Resolved - (1) That this Committee confirms the appointment of the following voting co-opted representatives:

- (a) Liz Townend as the Church of England Diocese representative.
- (b) Elaine Poulter as a Parent Governor representative.
- (c) That it be noted that a single nomination of a co-opted representative was awaited from the Catholic Church Diocese.

(2) That the appointment of the following non-voting representatives be confirmed:

- (a) Alison Paul (Swindon Association of Special School Headteachers).
- (b) Gary Evans (Swindon Association of Primary Headteachers).
- (c) Steve Colledge (Swindon Association of Secondary Headteachers).
- (d) Steve Henderson (Equalities Advisory Forum).
- (e) Doug Morris (Swindon Parent and Carers Group).
- (3) That it be noted that a single nomination of a co-opted representative was awaited from Healthwatch.

6. Annual Quality Accounts 2016-17 - Great Western Hospital

The Committee received a report by the, Great Western Hospital (GWH) NHS Foundation Trust, on the Great Western Hospitals NHS Foundation Trust's Annual Quality Account for 2016/17. Julie Marshman, Deputy Chief Nurse, GWH, presented a report and advised that the information related to the effective care of both adults and children. It was noted that the Annual Quality Account would be audited by KPMG. She elaborated on the structure of the Annual Quality Account, referring to the Dr Foster audit processes undertaken at GWH.

Julie Marshman explained the national key priorities, national mandated indicators, governor mandated indicator, and GWH's own key priorities. The Committee noted that these national accounts were officially laid before Parliament by the end of May 2017. Julie Marshman advised that the Annual Account relates to the work undertaken over the past year and to the priorities for 2017/18 to meet the changing needs of the local population. She explained that all NHS quality accounts include information on the quality of services offered by both NHS and non-NHS healthcare providers.

Following her presentation of the report, Julie Marshman and Teresa Harding, Divisional Director for the Women and Children's Division, (GWH) responded to members' questions and comments on the following issues:

- Referral to treatment targets.
- Waiting times for young people at the Emergency Department.
- Re-admission rates and reasons for re-admission.
- Discharge procedures.

- Monitoring the Multi Agency Safeguarding Hub.
- Monitoring sepsis in children.
- Cardiac arrest and survival rates.
- Mortality rates of young people under 18.
- Set up of transition clinics for young adults.
- Working with the Clinical Commissioning Group and community paediatrics to review resources.
- Collaborative work with external agencies through the “Ready, Steady, Go” programme.
- Palliative care figures included in the report related to adults but information for young people was available.
- Information sharing with partners, particularly regarding children.
- Community paediatrics.
- The investigations carried out on clostridium difficile cases.
- The national clinical audit and clinical outcome review programmes.
- Patient Reported Outcome Measures (PROMS) and patient involvement in the process.
- A potted view of services provided within the Children’s Unit.
- The need to recruit more nurses to the Children’s department.
- The interaction between paediatricians and the work being undertaken to address the link between looked after children and those self-harming.
- The interaction between locum general practitioners, patients and the emergency department to ensure patients attend the right venue for their needs.
- Safeguarding work being undertaken with the paediatrics department.

Resolved: (1) That the report be noted.

(2) That the Divisional Director for the Women and Children’s Division, be requested to circulate information to the Committee regarding (a) from referral to treatment time targets including paediatric surgeries, (b) waiting times for children at the Emergency Department, (c) children’s mortality rates, d) discharge and re-admission procedures and rates for under 18 year olds, e) the number of young people under 18 years old that contracted sepsis, f) the number of young people under 18 years old that suffered from cardiac arrest and associated survival rates, g) the number of young people readmitted due to mental health issues , h) discharge procedures for young people (i) palliative care data for young people (j) an update on community paediatrics, and (k) data on the clostridium difficile cases.

(3) That the Divisional Director for the Women and Children’s Division be requested to submit a report on the strengths and challenges of the department to the Committee’s meeting in March 2018.

7. Children Services Performance Summary 16/17 Outturn

The Head of Education and the Head of Children, Families and Community Health, submitted a report providing an update on the performance within all service commissioning for 2016/17. The Head of Children, Families and Community Health, introduced the report and explained that it had been structured to highlight the improvements that had been made and areas where further actions would be required. It was noted that the comparator data was based on the 2015/16 outturn and that the department prescribed to a South East data set that provides in-year benchmarking data.

The Head of Children, Families and Community Health, referred to the areas covered that included information on the overall contact rate for Children Services, the reduction in the referral rate to children's social care services, the number of children subject to statutory assessments, and the improved rate in the number of care leavers engaged in education, employment and training.

The Head of Children, Families and Community Health, highlighted the challenges faced by the department, including the number of youth offending for children in care, the increase of children on child protection plans and on work being undertaken with Troubled Families.

The Head of Children, Families and Community Health, and the Head of Education Services, responded to the Committee members' questions and comments in respect of the following:

- Actions undertaken to address the number of Special Educational Needs (SEN) Support records as detailed by schools in the January census.
- The transference of SEN statements to Education, Health and Care Plans.
- Correlation between exclusions and the Troubled Families.
- The work within the Early Years setting to prepare children for school.
- Improved partnership working to support Troubled Families.
- Comparison between secondary and primary schools performance and the actions being undertaken that included sharing good practice.
- The effect of post 16 SEN figures on overall SEN data collated.
- Promoting Swindon schools to stem the number of pupils attending out of borough schools. This may include web links in the admission process to schools' Ofsted reports.

The Swindon Association of Special Schools Headteacher representative advised the Committee that the number of SEN pupils recorded within the January census included a wide range of SEN category levels. The representative also referred to the time consuming task of converting SEN records to EHCPs.

Resolved: (1) That the report be noted.

(2) That the Head of Children, Families and Community Health, be requested to circulate information on "Healthy Child Programme" to the Committee before the next meeting of the Committee.

8. Work Programme 2017-18

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, 2017/18.

Resolved – (1) That the report be noted.

(2) That the work programme be updated to include items recommended by the Committee.

(3) That the Committee thanks all the contributors who had suggested topics for inclusion in the Committee's Work Programme for the Municipal Year, 2017/18.

COMMUNITIES AND PLACE OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 28 JUNE 2017

PRESENT:- Councillors Dale Heenan (Chair), John Ballman, Mary Friend, Teresa Page, Kevin Parry, Vera Tomlinson and Peter Watts.

Apologies for absence were received from Councillors Nick Martin and James Robbins.

1. Appointment of Vice-Chair for the Municipal Year, 2017/18

Resolved – That Councillor Kevin Parry be Vice-Chair of the Committee during the Municipal Year, 2017/18.

2. Declarations of Interest

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

3. Minutes

Resolved – That the Minutes of the meeting of the Streetsmart, Highways and Communities Overview and Scrutiny Committee held on 8th March 2017 be confirmed and signed.

4. Public Question Time

No public questions were asked.

5. Work Programme 2017/18

The Committee received a report of the Director of Law and Democratic Services setting out suggested items for inclusion in the Committee's Work Programme 2017/18.

The Chair updated Members in respect of a consultation exercise he had initiated to seek the views of members of the public on items they felt that the Committee should consider during the current Municipal Year.

The Committee discussed the Committee's suggested Work Programme for the Municipal Year 2017/18 together with suggestions received from Members of the public.

Resolved – (1) That that the Committee's Work Programme for the Municipal Year 2017/18 be:

Wednesday 28th June 2017

- To consider and approve a work programme for the Committee for the current Municipal Year.

Tuesday 5th September 2017

- **Residents Requests**

- a) Review of Parking Strategy – how to create additional spaces, tackle obstruction and pavement parking, supported traffic calming measures.
- b) Review of Bus Lanes – With a reason for keeping or changing.
- c) State of un-adopted roads and footpaths.
- d) Road Safety – Summary of issues around the town, including Thamesdown Drive. What action should the Council take?
- e) Invite to Police

Wednesday 22nd November 2017

- **Volunteering** - This overlaps with the portfolio of the Cabinet Member for Adult's Health and Social Care, so we will need to develop a joint presentation to Committee on this item.
- **Littering** – How can the Council support community efforts to clear up, what steps can the Council take to be more proactive
- **Recycling**

Parish Council – Responsibilities, Review of service standards, for example, grass cutting, play park provision, how to improve joint working and value for money.

Wednesday 10th January 2018

- **Communications and Engagement** – Capability of the Council to communicate and support the delivery within communities. For example, public call received 32 requests, Highways has a newsletter subscriber list of 1,500+, Libraries 30,000+, use of Facebook and Social Media.

This theme needs further focus as it potentially cross-cuts all Cabinet portfolios, including the Leader of the Council. Will require joint presentation with Communications colleagues.

- **Dial A Ride** - A review of the service, performance data and Council support.

Wednesday 28th February 2018

Community Assets (in particular Community Centres) – To provide an update to the Committee on current position regarding community assets – overlaps with portfolio of Cabinet Member for Property so will need to develop a joint presentation

on this item.

(2) That the Committee's Work Programme be reviewed at each meeting of the Committee.

6. Date of Next Meeting

It was noted that the next meeting of the meeting would held on Tuesday 5th September 2017 commencing at 6:00pm.

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GROWING THE ECONOMY OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 21 JUNE 2017

PRESENT:- Councillors Emma Famarzi (Chair), Wayne Crabbe, Dale Heenan (Vice-Chair), Gemma McCracken, Gary Sumner and Chris Watts

Apologies for absence were received from Councillor Jane Milner-Barry.

1. Appointment of Vice-Chair

Resolved - That Councillor Heenan be appointed Vice-Chair of the Growing the Economy Overview and Scrutiny Committee for the 2017/18 Municipal Year.

2. Declarations of Interest

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

Councillor Gemma McCracken made a personal, non-prejudicial declaration of interest in respect of Agenda Item 5 “Work Programme – Draft Economic Strategy”, on the grounds that her husband is a tenant of a commercial unit in the Town Centre.

3. Minutes

Resolved – That the minutes of the meeting held on 22nd March 2017, be confirmed and signed as a correct record.

4. Work Programme 2017/18

The Committee received the report of the Director of Law and Democratic Services setting out suggested items for inclusion in the Committee’s Work Programme 2017/18.

The Committee considered the proposed draft Work Programme items and made the following amendments:

- To include a standing item at each meeting on the latest position regarding the Governments position on Business Rates.
- To include an update on Kimmerfields at the meeting scheduled for 27th September 2017.
- To undertake a field trip to neighbouring towns and cities to view recent developments and consider how to encourage similar developments in Swindon. Suggestions included Cribbs Causeway in Bristol and the Docks in Gloucester.
- To invite various large businesses based in Swindon to attend the Committee at the meeting scheduled for 8th November.

Resolved - That the proposed draft Work Programme 2017/18 be agreed, subject to the inclusion of suggestions detailed above.

5. Draft Economic Strategy to 2026

The Committee received a copy of the Councils revised Economic Strategy up to 2026.

The Corporate Director, Economy, Regeneration and Skills, explained that Swindon is already one of the UK's fastest growing towns and the revised Strategy sets out a vision to build on this over the next 10 years. The Committee noted that the Strategy was currently out for public consultation until 10th July and a number of good responses had been received from businesses in the town. All responses would be considered and a final report made to Cabinet on 6th September 2017.

The Corporate Director responded to a number of questions and issues raised by Members on the following matters:

- The purpose of the Strategy and how it interacts with the Town Centre Masterplan.
- The deliverability of various elements of the Strategy.
- Importance of the Strategy for the economy, the regeneration of the town centre and future Local Enterprise Partnership bids.
- The need for ambitious targets within the Strategy.
- Attracting large business and well paid jobs to the town.
- Young people attending universities outside of Swindon and then not returning to the town for work purposes.
- Support for small businesses by Switch On Swindon and In Swindon.
- The future of the UTC and how it has been received by other educational establishments.

Resolved – (1) That the Corporate Director, Economy, Regeneration and Skills, comments on the Draft Economic Strategy be noted.

(2) That members be invited to submit any comments they might have on the Draft Economic Strategy directly to the Corporate Director before the deadline of 10th July 2017.

Section 3

Regulatory Committee Minutes

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PLANNING COMMITTEE

TUESDAY, 11 JULY 2017

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

7. Declarations of Interest

There were no declarations of interest.

8. Minutes

Resolved – That the minutes of the meeting held on 13th June 2017, be confirmed and signed.

9. Public Question Time

There were no public questions

10. 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 Mary Friend in respect of application numbered S/16/505
- (e) The comments of Councillor Steve Weisinger in respect of application numbered S/RES/17/324
- (f) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/16/505	David Wetherill	Agent
	Jonathon Burns	DPP
	David Roger	Standard Life
S/HOU/17/576	Hannah Dosanjh	Wroughton Parish Council
S/RES/17/324	Daniel Drayton	Agent
	Eddie Stratford	Heritage Consultant

Resolved – (1) That, in respect of application numbered S/16/505, following referral of the application to the Secretary of State, the Head of Planning, Regulatory Services and Heritage be authorised to grant permission subject to the conditions listed in the Committee report and to amend, add or omit conditions as may be

necessary, and subject to the satisfactory completion of a legal agreement in order to restrict the sale of items to bulky goods only, with ancillary non-bulky goods and to secure a travel plan for the site.

(2) That permission be granted in respect of application numbered S/HOU/17/576 subject to the conditions listed in the Committee report.

(3) That application numbered S/RES/17/324 be granted subject to appropriate conditions.

11. New Eastern Villages Green Infrastructure Supplementary Planning Document (NEV GI SPD)

The Head of Planning, Regulatory Services and Heritage submitted a report concerning (a) the responses received to the public consultation on the draft New Eastern Villages Green Infrastructure Supplementary Planning Document (SPD) and (b) seeking approval to adopt the SPD, as modified in light of the consultation responses, and thereby use it as a material consideration for the determination of planning applications at the New Eastern Villages.

Resolved – That this Committee:

- (1) Adopts the New Eastern Villages Green Infrastructure Supplementary Planning Document (NEV GI SPD) as at Appendix 1 to the Committee report, and to make it publically available in accordance with the arrangements detailed in paragraph 7.1 of the report.
- (2) Authorises the Head of Planning, Regulatory Services and Heritage, in consultation with the Director of Law and Democratic Services, to make minor amendments to the content of the documents, prior to publication.

PLANNING COMMITTEE

TUESDAY, 8 AUGUST 2017

PRESENT: - Councillors Timothy Swinyard (Chair), Alan Bishop, Malcolm Davies, Nick Martin, Stan Pajak, James Robbins, Eric Shaw and Gary Sumner.

Apologies for absence were received from Councillors Kevin Parry, John Ballman, Steph Exell, Derique Montaut and Peter Watts.

12. Declarations of Interest

The Chair reminded Councillors to declare any known interests in any of the matters to be considered by the Committee.
No such declarations were made.

13. Minutes

Resolved – That the minutes of the meeting held on 11th July 2017 be confirmed and signed.

14. Public Question Time

There were no public questions

15. 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 Small in respect application numbered S/17/283
- (e) The comments of Councillor Perkins in respect application numbered S/OUT/17/968
- (f) The comments of Councillor Dixon in respect application numbered S/17/526
- (g) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/17/283	Gary Sutton Paul Richards	Agent Local Resident (on behalf of objectors)
S/OUT/17/968	Damon Bower	Haydon Wick Parish Council

S/17/679 John Macdonald

S/17/526 Ingrid Austin Applicant

Resolved – (1) That permission to develop be granted in respect of application numbered S/17/283, subject to the conditions listed in the Committee Report, as amended below:

Amended Condition:

16. Deliveries

There shall be no deliveries to the premises outside the following hours:

08:00 to 18:00 hours Mondays to Saturdays, and

10:00 to 16:00 hours on Sundays and Bank Holidays

(2) That permission be refused in respect of application numbered S/OUT/17/968 for the following reasons:

Reasons

The proposal represents an inappropriate and overdevelopment of back land in a manner that fails to respect the former (Haydon Wick) village context or reflect the character or pattern of surrounding development to the detriment of local amenity. The proposal does not comprise high quality design and is contrary policies DE1 of the Swindon Borough Local Plan 2026 (2015), the Adopted Swindon Residential Design Guide 2016 and the NPPF.

(3) That permission to develop be granted in respect of application numbered S/17/679, S/OUT/17/894, and S/17/943 subject to the conditions listed in the Committee Reports

(4) That the Head of Planning, Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/17/526 upon the expiry of the statutory consultation period and provided that no significant new issues are raised and subject to the conditions set out in Committee report and any modified additional or omitted conditions as maybe appropriate and the site title being amended to read.

“Land to the rear of 27 Eastcott Hill”

LICENSING COMMITTEE

THURSDAY, 15 JUNE 2017

PRESENT:- Councillors Vera Tomlinson, Abdul Amin, Alan Bishop, Paul Dixon, Steph Exell, Emma Faramarzi, Colin Lovell, Derique Montaut, Eric Shaw, Caryl Sydney-Smith, Nadine Watts and Peter Watts.

Apologies for absence were received from Councillors Wayne Crabbe, Nick Martin and Carol Shelley.

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. Minutes

Resolved – That the minutes of the meeting held on 19th May 2017, be confirmed and signed as a correct record.

8. Public Question Time

No public questions were asked.

9. Consideration to Review Hackney Carriage Upper-Age Limits

The Committee received a report setting out a request from a hackney carriage operator for the Council to review its upper age limits for hackney carriage vehicles. It was noted that a representative from the hackney carriage operator seeking a review of the policy was unable to attend the meeting.

Resolved – That the report be deferred until the July meeting of this Committee in order to allow a representative from the hackney carriage operator seeking a review of the policy to attend to make representations to the Committee.

10. Review of the Policy Relating to the Licensing of Vehicles with Tinted Windows

The Committee considered (a) a report of the Council's Licensing Officer setting out a request from vehicle providers to remove the Council's restriction regarding tinted windows on licensed vehicles, and (b) written representations received from Flight Link Executive Travel and T 'N' C Cars supporting a change in policy.

Resolved – (1) That the restriction on tinted windows for plated cars be amended to permit factory tint only on vehicle rear windows, and rear quarter lights on estate vehicles, effective from 31st July 2017.

(2) That officers submit a report to this Committee in respect of the policy on tinted windows for non-plated hackney carriage and private hire vehicles.

11. Model Conditions for Kennels

The Council's Licensing Officer submitted a report setting out the proposed review of the licence conditions for kennels within the Borough under the Animal Boarding Establishments Act 1963.

Resolved – (1) That approval be given for a consultation on the proposed revised conditions for kennels within the Borough with licensed establishments other relevant organisations.

(2) That the results of the consultation referred to in (1) above be reported to this Committee.

LICENSING COMMITTEE

THURSDAY, 6 JULY 2017

PRESENT:- Councillors Abdul Amin, Alan Bishop, Steph Exell, Nick Martin, Derique Montaut, Carol Shelley, Caryl Sydney-Smith, Vera Tomlinson, Nadine Watts, Peter Watts, Wayne Crabbe, Colin Lovell and Eric Shaw.

Apologies for absence were received from Councillors Paul Dixon and Emma Faramarzi.

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. Public Question Time

No public questions were received during the meeting.

14. Consultation for Registration and Code of Conduct for Commercial Dog Walkers

The Council's Licensing Manager submitted a report seeking the Committee's approval to go to public consultation on a draft Code of Conduct for Commercial Dog Walkers.

Resolved – That the draft Code of Conduct for Commercial Dog Walkers be approved for public consultation and the results of the consultation exercise be submitted to this Committee for consideration.

15. Consideration to Review Hackney Carriage Upper-Age Limits

The Committee considered (a) a report of the Council's Licensing Manager setting out a request from the proprietor of Swindon Black Cabs to remove the upper age limit on purpose built wheelchair accessible Hackney Carriage vehicles, (b) letters and emails received from (i) Swindon Black Cabs, (ii) Mr Lucas (Taxi Driver), (iii) Mr Bates (Taxi Driver) and (iv) Mr Stocker (Taxi Driver) in respect of the request, and (c) oral submissions received from Mr Bates at the meeting.

Resolved – (1) That the request from the proprietor of Swindon Black Cabs to remove the upper age limit on purpose built wheelchair accessible Hackney Carriage vehicles be refused.

(2) That approval be given to increasing MOT inspections for Hackney Carriage vehicles aged between 12 and 15 years to three per annum in order to ensure the mechanical fitness of vehicles are maintained.

(3) That the Council's Licensing Manager continue to be granted delegated authority to refuse to licence wheel chair accessible Hackney Carriage vehicles after inspection if in the opinion of the Licensing Manager the vehicle has not be properly maintained in accordance with the Council's approved guidelines.

16. Review of the Policy Relating to the Licensing of Vehicles with Tinted Windows

This item was withdrawn with the agreement of the Committee.

17. Review of Street Trading

This item was withdrawn with the agreement of the Committee.

LICENSING PANEL

WEDNESDAY, 28 JUNE 2017

PRESENT:- Councillors Alan Bishop, Paul Dixon and Vera Tomlinson

44. Appointment of Chair

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

45. Minutes

Resolved – That the minutes of the meetings held on 23rd and 29th March and 3rd, 4th 5th and 10th April 2017 be confirmed and signed.

46. 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.

47. Application to Review Premises Licence, AAA Shop, 30 County Road, Swindon, SN1 2EW, 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 AAA, 30 County Road, Swindon SN1 2EW, (b) written representations from Wiltshire Police in support of the review, (c) oral submissions in support of the application for a review received from PC Michael Diffin, M.B.E., (Police Licensing Officer), (d) questions from Members to the applicants and officers and answers received, and (e) 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 Manager advised the Panel that the Premises Licence Holder Mr Meeran Hussein had advised the Council's Licensing team that he no longer had any involvement in the premises or in running the business and would not be attending the hearing. The Council's Licensing Manager confirmed that the agenda papers had been hand delivered and Mr Hussein had been advised that the Premises Licence could be revoked. Mr Hussein had advised the Licensing team that he had sold the premises but that no documentary evidence had been provided to support this statement. The Council's Licensing Manager also confirmed that a transfer application had been received for the Premises Licence but that this application had been invalid and had been refused and that Mr Hussein therefore still held it in his name. In light of the fact that Mr Hussein had been correctly served with the papers for the hearing, knew of its date and time and had not requested a deferral but instead had indicated that he would not attend, the Panel determined that it would proceed in Mr Hussein's absence.

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

- The application for review was called by Wiltshire Police under the Crime and Disorder Licensing Objective.
- The options available to the Panel were set out within paragraph 2.1 of the Licensing Manager's report.

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

- That the premises were located within a Cumulative Impact Policy area which included problems such as street drinking and therefore the Police expected premises to be well managed.
- In the opinion of the Police the premises were poorly managed and that Mr Shagul Hameed Gulmohammed was the Designated Premises Supervisor in name only and it had proven to be difficult contacting him.
- The Police had visited the premises on 9th April and 13th May 2014 and had found a number of breaches of the Premises Licence conditions. These had been drawn to the attention of management.
- On 19th November 2014 Police visited the premises with a HM Revenue and Customs and Home Office Immigration Team and a man working at the shop illegally had been arrested and deported for working illegally in the United Kingdom.
- On 8th September a routine visit had resulted in a man working at the premises confirming that he had not received any formal training and did not know who the Designated Premises Supervisor was. The Police identified two breaches of the conditions attached to the Premises Licence.
- On 19th September 2015 Police Constable Diffin attended the premises and had spoken to Mr Hussein who agreed to the amendment of conditions attached to the Premises Licence in respect of the maintenance of training records and the operation of CCTV at the premises.
- On 11th January 2017 the Police attended the premises and found breaches in respect of the maintenance of the refusals book, staff training records and the maintenance of CCTV equipment. Mr Gulmohammed, the Designated Premises Supervisor, was out of the country during this visit.
- The Police gave evidence that despite continually working with Mr Hussein to raise the standards of management continual breaches of the Premises Licence had occurred over a three year period and they believed this proved poor management of the premises.
- The Police further gave evidence that Mr Hussein had provided no evidence of either selling the property nor of him ceasing his involvement in the management of the shop.
- The Police gave evidence that the current Designated Premises Supervisor was not engage in managing the premises on a regular basis and that Mr Hussein and his wife appeared to undertake the day to day management function and that given the continual failures in maintaining the Licensing Objectives through breaches of the Licensing Objectives this could be described as apathetic.

Resolved – That after considering: -

1. The application for a review of the Premises Licence received from Wiltshire

- Police; and
2. That having heard evidence from the Council's Licensing that:
 - (a) Mr Hussain had contacted the Council's Licensing Team to advise them that he had sold the business and no longer had any involvement in its operation. Mr Hussain confirmed to the Council's Licensing Team that he would not be attending the hearing.
 - (b) That there was no material evidence produced of any sale of the business;
 - (c) The transfer of the Premises Licence had not taken place due to an invalid application and that the Premise Licence remained in Mr Hussain's name; and
 - (d) That no representations had been received from anyone pertaining to have a business interest in the premises.

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;

The Panel has determined the following: -

(1) The Police had provided compelling evidence of a long history of breaches of the Premises Licence amounting to a failure to uphold the prevention of Crime and Disorder Licensing Objective.

(2) The Police had provided evidence that written warnings had been issued to the Premise Licence Holder in respect of his failure to comply with the conditions attached to the Premises Licence.

(3) The Panel having considered the Police evidence of continued breaches of the conditions of the Premises Licence over a period of three years concluded that the Premises Licence holder was unable or unwilling to manage the premises in a suitable manner and uphold the Licensing Objectives.

(4) The Panel was not satisfied that any compelling evidence was put forward that breaches of the licensing objectives would not continue.

The Panel, conscious of its duty to ensure that the licensing objectives are met, decided to revoke the premises licence.

Reasons

(1) The Panel was satisfied that there was a long history of noncompliance in maintaining the conditions attached to the Premises Licence.

(2) The Panel heard evidence that there had been a failure by management at the premises to respond to Police advice and warnings.

(3) The Panel concluded from evidence presented to it that the Designated Premises Supervisor, Mr Gulmohammed had not be involved in the management of

the premises on a regular basis.

(4) The Panel had no confidence that the Premises Licence Holder would manage the premises in a satisfactory manner or uphold existing or new conditions attached to the Premises Licence. Accordingly it did not consider that suspension of the Premises Licence was appropriate.

The Chair reminded both parties that they had the right of appeal to the Magistrates Court against this decision and that an application for any such appeal should be made within 21 days of this hearing.

LICENSING PANEL

WEDNESDAY, 5 JULY 2017

PRESENT:- Councillors Vera Tomlinson, Peter Watts and Nick Martin.

An apology for absence was received from Councillor Emma Faramarzi.

48. Appointment of Chair

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

49. Declarations of Interest

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

50. Application to vary Premises Licence, Unit 4, 1-8 Manchester Road, Swindon, SN1 2AB 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 to vary the premises licence held by Unit 4, 1-8 Manchester Road, Swindon, SN1 2AB, (b) written representations opposing the application received from a local resident, (c) oral submissions opposing the application for variation from a local resident, (d) oral submissions in support of the application from the applicant and Mr Miah (Landlord), (e) questions from members to the applicant and objector and answers received, (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 Manager introduced the report noting:

- The member of the public objecting to the application had made an objection against the premises during a previous application in September 2016.
- The objection was based on the undermining of the Crime and Disorder and Prevention of Public Nuisance Licensing Objectives.
- The application for a variation of the Premises Licence had been made by Mr Mohammed Rasul Kader, the Premises Licence holder.
- The application for variation of the Premises Licence was being considered for a second time because of a discrepancy in paperwork at the original hearing and because an objector had not been invited to attend the original hearing.
- The application was to include both units 5 and 6 within the Premises Licence.
- The Premises Licence holder had complied with the conditions of the current licence in respect of the sale of alcohol even though he was currently trading from units 4, 5 and 6.
- Should the application for a variation of the Premises Licence was refused alcohol sales from unit 4 would still be permitted under the licence issued in

January 2016.

- The application also requested an extension to the sales of off sales only between 08:00 and 23:00 hours.
- Wiltshire Police had asked for the inclusion of conditions on the Premises Licence should the variation be approved and these were set out in the agenda papers. These had been accepted in their entirety by the applicant.
- The objection from one member of the public was the only objection received.
- The premises was currently trading as one shop and had no internal walls.

The Public objector's case can be broadly summarised as follows:

- That his objection remained similar to that made, but not considered, in September 2016.
- A licence was granted in 2016 for a premises situated in a locality that already had too many outlets selling alcohol.
- When the original application for a variation of the premises was considered in September 2016 it was for the sale of alcohol in units 4, 5 and 6.
- The shop's stock had been rearranged to sell alcohol in areas other than unit 4.

Responses from the objector to questions from Councillors can be summarised as follows:

- That the objection was as a local resident who had no commercial interest in the locality.
- The public disorder from street drinkers and litter arising from the concentration of shops with off-licences in Manchester Road and County Road together with the public houses and clubs in the close vicinity.
- That he believed because of the number of outlets selling alcohol in the vicinity this had led to shopkeepers standards dropping to gain customers.
- That he had lived in the area since 1983 and had seen it deteriorate through the cumulative effect of the increase of units selling alcohol and price war amongst them. This was evidenced by the recent decisions to revoke Premises Licences in the vicinity.
- That he recognised that the premises already had the right to sell alcohol and that this right would remain regardless of the Panel's decision.
- His views on the undermining of the Licensing Objectives was an accumulation of issues in the area and was not a specific reference to the shop in question.
- That the area was an Cumulative Impact Area which should mean that higher standards were required from outlets selling alcohol.

The applicant's case can be broadly summarised as follows:

- The premises already had a premises licence and could sell alcohol.
- The application was to extend the internal area of the shop for the sale of food including poultry and meat, the alcohol stocked would be moved closer to the till to allow staff to better monitor it.
- The shop had one entrance and had no internal divisions.
- He understood the concerns raised in respect of the sale of alcohol but it was not his intention to increase the levels of alcohol he kept which was currently

- on three shelves. This would be moved to a chiller cabinet.
- He did not sell single cans of alcohol nor high strength beers or ciders.
- He understood his obligations under the Licensing Act and had complied with the conditions on his Premises Licence and had further agreed to additional conditions requested by Wiltshire Police.
- There was to be no change in the Premises Licence holder or Designated Premises Supervisor.

The responses to questions from Members of the Panel can be broadly summarised as follows:

- He had six members of staff, two of whom had worked for him for ten years, and all these had been trained in the sale of alcohol and in maintaining the licensing conditions on his Premises Licence.
- The change in hours for the sale of alcohol had been made to reflect the opening hours of the shop.
- He was aware of the recent reviews undertaken against Premises Licences within the Borough and was aware of his duties under the Licensing Act.
- His staff had been trained to operate the stores CCTV equipment.

The objector had no questions.

Resolved – That after considering: -

1. The application for variation to the licence made by the Licensee; and
2. Representations and material put forward on behalf of the Objector;

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 the following: -

1. The permitted hours for the sale of alcohol be:
Monday to Sunday 08:00 until 23:00.
2. The permitted Premises Licence be varied to include units 5 and 6, 1-8 Manchester Road, Swindon.
3. That the conditions requested by the Police as set out on page 29 of the agenda papers, and agreed to by the applicant, that are not currently attached to or modify the conditions on the existing premises licence shall be incorporated on the premises licence.

Reasons

1. The Panel noted that there were no representations received from the Statutory

Authorities.

2. The Panel in considering the evidence from the objector noted that the concerns raised in relation to the failure to uphold the Crime and Disorder and Public Nuisance Licensing Objectives were in relation to the vicinity in general and not related to the premises in question or its management.
3. The Panel noted that units 4, 5 and 6, 1 - 8 Manchester Road formed a single retail property without internal divisions.
4. The Panel noted that the Licensee had previously demonstrated he was a responsible licensee complying with the licensing conditions attached to his premises licence and had complied with all requests of the Council's Licensing Team.
5. The Panel heard evidence that the requested licensable hours are consistent with other premises in the vicinity.
6. The Panel was satisfied from the evidence provided by Mr Kader in relation to the management of the premises, together with the conditions imposed by the Panel and agreed to by him, that he would ensure that the Licensing Objectives would be upheld.
7. The Panel was satisfied through hearing evidence from Mr Kader that he understood his obligations to uphold the Licensing Objectives and to fully comply with all conditions attached to the Premises licence. No evidence was produced to indicate that the premises were poorly managed.

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

LICENSING PANEL

FRIDAY, 7 JULY 2017

PRESENT:- Councillors Caryl Sydney-Smith, Vera Tomlinson and Emma Faramarzi

51. Appointment of Chair

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

52. 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 Emma Faramarzi made a non prejudicial declaration of interest in respect of Agenda Item No. 4 in her capacity as The Chair of the Federation of small businesses.

53. Application to to Review Premises Licence in respect of Havelock News, 49 Havelock Street, Swindon, SN1 1SD

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 Havelock News, 49 Havelock Street, Swindon, (b) written representations from Wiltshire Police in support of the review, (c) additional information tabled at the meeting by Wiltshire Police with the agreement of the licence holder and his legal representative, (d) oral submissions in support of the application for a review received from PC Michael Diffin, M.B.E., (Police Licensing Officer), (e) oral submissions opposing the review by Mr Ioannou (Solicitor to licence holder), (f) questions from Members to the applicants and officers and answers received, and (g) 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 Manager introduce the report noting that:

- The application for review was called by Wiltshire Police under the Prevention of Crime and Disorder Licensing Objective.
- In addition there were two statements from local businesses supporting the review.
- The Premises Licence was set out on page 45 of the agenda papers.
- Wiltshire Police visited the premises on 31st January 2017 and the person working at the premises was unsure who the Premises Licence Holder and Designated Premises Supervisor was.
- On 4th February and 5th April 2017 further visits to the premises by Wiltshire Police found breaches of conditions 6, 7, 8, 10 and 11 of premises licence.

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

- Wiltshire Police visited the premises on 31st January 2017 and the person working at the premises was unsure who the Premises Licence Holder and

Designated Premises Supervisor was.

- On 31st January 2017 a further visit to the premises by Wiltshire Police found breaches of conditions 6, 7, 8, 10 and 11 of premises licence.
- That the revocation of the premises licence was being requested as breaches of the licensing conditions had been on on-going issues and only following the review application and involvement of their solicitor had some action been taken, and in the opinion of the Police this was too little, too late.
- On 20th May 2017 Wiltshire Police conducted an underage test purchase at Havelock News and a purchase of alcohol by persons aged under 18.
- The Police believed that the operation of the business undermined the Prevention of Crime and Disorder Licensing Objective and adversely affected other businesses in the vicinity.

Responses to questions to Wiltshire Police from Panel Members and the solicitor to the licence holder can be broadly summarised as:

- That local business were being adversely affected by the poor management of Havelock News.
- That both businesses responding to the review were situated in the vicinity of Havelock News.

The submission by the solicitor to the Premises Licence Holder can be broadly summarised as:

- That only two local businesses and no local residents joined the Police review, therefore the statements could not be considered indicative of all local businesses.
- That there was no evidence that crime and disorder arising from Havelock News was affecting local businesses.
- Apart from the visit from the police on 31st January and the under aged sale of alcohol on 20th May 2017 there was no evidence of further breaches of the Premise Licence's conditions.
- The Premise Licence holder accepted that there had been some breaches of the conditions attached to the Premises Licence.
- The failed test purchase was an error of judgement but the girls buying the alcohol looked to be over eighteen years of age.
- Following this failed test purchase the refusal book kept at the premises showed an entry refusing a sale of alcohol to two boys who looked under eighteen years of age.
- If these incidents were looked at in isolation it would not be appropriate to consider revocation under paragraph 5.24 of the Licensing Act.
- Following the Police visit to the premises on 31st January it had been brought to his client's attention that there was no Designated Premises Supervisor, this his client accepted was correct. Following this conversation a request to install the current Designated Premises Supervisor was made on 2nd February. In his opinion this error on its own was not relevant.
- The breaches in question arose when the former Designated Premises Supervisor, Mr Mohamed, was in the process of selling the business and that he had been allowed to continue to run the business at this time. The current Designated Premises Supervisor Mrs Kayathri Rameshkumer accepted that she need to accept responsibility for this situation.

- Mr Mohamed was no longer involved in the business and the business represents Mr and Mrs Ramesshkumer's livelihood.
- Mr and Mrs Rameshkumer are now running the business and have upgraded the CCTV, have operated an incident book since February and have provided staff training.
- Street drinking is endemic across the country and there was no proof that Havelcok News is worsening this situation.
- Mr and Mrs Rameshkumer would be willing to accept additional conditions preventing the sale of individual cans of alcohol and to prevent the sale of high strength beers.
- Mr and Mrs Rameshkumer understand any further breaches of the licence conditions could result in an additional review and asked if revocation was the solution in this case.

Responses to questions from Panel Members and the Police to Mr and Mrs Rameshkumer's solicitor and points raised can be broadly summarised as:

- The failure of the underage test purchase was an oversight as the girls looked to be over eighteen years of age. Two boys were asked to identification later the same day and refused a sale of alcohol.
- That a challenge should have been made with the girls participating in the underage test purchase but the age of girls is often harder to judge.
- Mr Mohamed and his daughter left the shop on 31st March 2017 having taken over running of the premises on 13th November 2016.
- There were two staff in addition to Mr and Mrs Rameshkumer working at the shop.
- That the business was bought two years ago and it had been an oversight not to transfer the relevant paperwork.
- Mr Rameshkumer worked part of the time at Havelock News and owned two other retail outlets.
- Mrs Rameshkumer provided training in her capacity as Designated Premises Supervisor.
- Training provided by Mr Rameshkumer and assistance given to staff in filling out their training forms and agreement by Mr and Mrs Rameshkumer that they would agree to the training of staff being outsourced.
- Police concerns regarding consistency in completing the refusals book.
- The CCTV equipment at the premises had been repaired and was now operational.
- That no counterfeit or non UK duty items had been found on the premises during Police visits.

Resolved - After considering: -

1. The application to review the premises licence made by Wiltshire Police, together with additional evidence from Wiltshire Police; and
2. Representations and material put forward on behalf of the Premises Licence Holder;

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 the prevention of crime and disorder;

The Panel determined the following: -

1. That the Premises Licence for Havelock News, 49 Havelock Street, Swindon be suspended for a period of two months.
2. That the Premises Licence be amended to include the following additional conditions:
 - (i) That all staff undertaking sales of alcohol at the premises shall be required to undertake training, provided by an accredited external trainer, in respect of the sale of alcohol, the implementation of the challenge 25 policy, and the obligations of staff and the business to uphold the Licensing Objectives.
 - (ii) That, further to (i) above, no staff shall be permitted to undertake the sale of alcohol until such time as they have successfully completed external training.
 - (iii) That there shall be no sale of individual single cans of alcohol to members of the public.
3. That copies of certificates of training once completed shall be lodged with the Licensing Authority and Wiltshire Police.
4. That the Designated Premises Supervisor shall provide the Licensing Authority and Wiltshire Police with a copy of her certificate of training undertaken on 27th June 2017.

Reasons

1. The Panel heard evidence from Wiltshire Police that there was a history of failure in upholding conditions 6, 7, 8, 10 and 11 of the Premises Licence.
2. The Panel heard evidence from Wiltshire Police that there had been a sale of alcohol to minors during a underage test purchase conducted by Wiltshire Police and Swindon Borough Council's Trading Standards Team.
3. The Panel considered that a suspension of the Premises Licence was required in order to allow the premises management to undertake appropriate external training of staff and to ensure that management systems in place were robust enough to prevent further breaches of the conditions attached to the premises licence, to prevent further under age sales and to ensure the Licensing Objectives were upheld.
4. The Panel noted that the offer to cease the sale of single cans of alcohol was made by the solicitor representing the Premises Licence Holder and Designated Premises Supervisor to assist them in upholding the Licensing Objectives.

5. The Panel carefully considered the removal of the Designated Premises Supervisor but noted that she had undertaken training, taken steps to remove two employees of the business and in order to allow her the opportunity to run the business in a manner that upheld the Premises Licence conditions and Licensing Objectives.

6. The Panel carefully considered the revocation of the Premises Licence as a result of the failure of management to respond to breaches of the conditions of the Premises Licence and the failure of the underage sale test. Whilst the Panel was disappointed that remedial action had taken so long to commence it noted that steps had now been commenced to rectify this situation.

The Chair reminded both parties that you have the right of appeal to the Magistrates Court and that an application for any such appeal should be made within 21 days.

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LICENSING PANEL

MONDAY, 10 JULY 2017

PRESENT:- Councillors Eric Shaw, Nadine Watts and Peter Watts

54. Appointment of Chair

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

55. 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.

**56. The Mailcoach and Locomotive - Temporary Event Notice -
Consideration of an Objection Notice**

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an Objection Notice opposing the grant of a Temporary Event Notice for The Mailcoach and Locomotive, (b) written representations from Wiltshire Police in support of the objection notice, (c) oral submissions from PC Michael Diffin, M.B.E., (Police Licensing Officer) in support of the Objection Notice, (d) oral submissions in respect of the application from Swindon Borough Council's Environmental Health Team, (e) comments from Mr Martin Jones (applicant) in support of the application for a Temporary Event Notice, (f) information tabled at the meeting by the applicant in support of his application for a Temporary Event Notice, (g) oral submissions in support of the application for a Temporary Event Notice, (h) questions from Members to the applicants and police and answers received, and (i) 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 Manager advised the hearing that she was in attendance to present the views of the Council's Environmental Health Team in respect of the application. Ms Alison Waine, Swindon Borough Council Licensing Team, was in attendance to represent the Licensing Authority and would present the report.

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

- The Temporary Event Notice Application was for the period 28th to 30th July 2017.
- The Counter Notice received from Wiltshire Police was on the grounds the application would undermine the Prevention of Crime and Disorder and the Protection of Children from Harm Licensing Objectives.
- A representation from the Council's Environmental Health Team in respect of noise issues was set out in the agenda papers.
- A copy of the Premises Licence for the Mailcoach and the Locomotive was set out within the agenda papers.
- The Pride event had been operating for six years.
- The Temporary Event Notice application had been received by the Licensing

Authority on 30th May 2017 and was for 00:00 – 01:30 hours on Friday 28th July and 00:00 – 06:00 hours on Saturday 29th July 2017 and was for the sale of alcohol and regulated entertainment.

- The event as requested would require a road closure order for Queens Street which had yet to be considered by Swindon Borough Council's Highways Department.
- The options available to the Panel in reaching its decision.

The representations from Wiltshire Police and points raised can be broadly summarised as:

- There was a serious offence of Grievous Bodily Harm against a seventeen year old male at the premises on 20th May 2017 at 03:50 hours which resulted in the victim being hospitalised.
- The victim had confirmed that he had been sold alcohol at The Mailcoach prior to the incident leading to his injuries when he shouldn't have been on the premises if he had been asked for proof of age or if the challenge 25 policy had been enforced.
- Evidence that the door supervisors on duty at the time of the incident had been slow to respond and had been ineffective when doing so.
- On 20th May 2017 the premises had failed an Underage Test Purchase and the member of bar making the sale confirmed that she had received no formal training from management.
- The bar manager could not produce training records when requested to do so by Wiltshire Police.
- The Police had concerns about the current management structure and about staffing should the event proceed.
- The event being proposed was not part of the official Pride event.

Responses to questions to the Police from the applicant and Panel members and points raised can be broadly summarised as follows:

- That the incident involving the serious injury to the seventeen year old should have been prevented through his refused entry to the premises as the parties involved were on the premises immediately prior to the event in questions and the victim would otherwise not been in the vicinity. In the opinion of the police it was poor management that contributed towards it occurring.
- The Police also expressed an expectation that there should have been more effective door security measures in place at the time of the incident with only one door supervisor on duty. It was taxi marshals that dealt with the problem and not the door staff employed by The Mailcoach.
- The situation outside the Mailcoach was also allowed to develop as they had been no attempt to disperse people congregating outside the premises.
- The Police gave evidence that they did not believe the current management to be competent to run the event proposed under the Temporary Event Notice.

The Applicant's case and points raised can broadly be summarised as follows:

- The injury to the young man on 20th May was regrettable and something no-one at the venue wanted.

- All bar staff were trained and the failure of the underage test purchase was a mistake and they should have asked for identification.
- This incident was the first in seven years, and whilst accepting the incident should never have happened, Mr Jones felt this was a good record.
- There were two door supervisors on duty one at the Mailcoach the other at the Locomotive.
- The event on the evening in question was more popular than expected otherwise more door supervisors would have been on duty.
- The door supervisor on duty at the Mailcoach had worked there before and would not have been working that night if Mr Jones had not been out of the country.
- Mr Jones noted that this type of incident could have occurred at any venue in the town and should be put in context however regrettable the incident was.
- Since the incident management had agreed changes including to security, including to the licence, which should prevent any similar incident occurring in the future.
- Mr Jones was to take over responsibilities as the Designated Premises Supervisor.
- The plan for managing the event set out in the Temporary Event Notice had been tabled for member's information.

Responses to questions from Panel Members and the Police and points raised can be broadly summarised as:

- Measures to maintain order of the proposed crowd should approval not be forthcoming for the closure of Queens Street.
- That the event would hold up to 499 people, including staff, and that if it were restricted to the Mailcoach and the Locomotive this might mean that up to 180 would be waiting outside to enter.
- The event would operate on a one in and one out system once capacity had been reached.
- That in previous years the average attendance had been 400 people and management had never needed to call the police.
- Staffing and safety issues had been agreed with the Event Safety Group.
- Door Staff would be in place from 22:00 to 06:00 hours with one door supervisor at each entrance.
- Fencing and netting would be in place to prevent any unauthorised access to the out-door area.
- The Designated Premises Supervisor or personal licence holder would be available through the planned event.
- Drinks would be sold in polycarbonate receptacles.
- Music in the outdoor area would cease at 04:00 hours.
- Arrangements for a large cover were in place in case of bad weather.
- There would be six bars (including the outside area) operational during the event.
- Management was content that plans were in place to manage any queues arising from the event.

Representations made by the Council's Environmental Health team and points raised can be broadly summarised as follows:

- Noise problems associated with the premises had been monitored for some time.
- There were issues arising from last year's event including public safety, fire exits, open cellar doors and poor management.
- Last year witnessed a lot of noise complaints which were addressed throughout the evening and which occurred until 05:50 hours.
- There had been recent noise complaints from people living 70 meters from the venue and officers had considered the use of a Noise Abatement Order at the premises.
- There were issues of uncontrolled access at last year's event at the venue.
- Bass beat music including from the outside stage were a major concern to officers.

Responses to questions asked by the applicant and members of the Panel can be broadly summarised as:

- Mr Jones concern that noise complaints from last year's events were made known to him earlier so that he could address them.
- That Mr Jones had put in some noise retention measures to reduce noise problems for local residents.
- That the end time for the event could be renegotiated to lessen the impact of noise.
- The problem in retaining noise, especially that emanating from outside the fabric of the venue building due to dissipation patterns and the urban setting.
- That if a counter notice to the Temporary Event Notice was served the event could still continue within The Mailcoach and the Locomotive until 04:00 hours.

Resolved – That having carefully considered (i) the application for a Temporary Event Notice and representations in relation to the objection from Wiltshire Constabulary and Swindon Borough Council's Environmental Health Team, (ii) and taking into account the Secretary of State's Guidance and the Licensing Authority Licensing Statement, and (iii) having in mind the promotion of the Licensing Objectives in particular the prevention of Crime and Disorder, Prevention of Public Nuisance, the Protection of Children from Harm and Public Safety, the Panel has decided to issue a counter notice against the temporary event notice covering the period Friday 28th July to Sunday 30th July 2017. It was not satisfied that Licensing Objectives in respect of the Prevention of Crime and Disorder, Prevention of Public Nuisance, Protection of Children from Harm and Public Safety would be upheld if the temporary event notice was permitted to proceed.

Reasons

1. The Panel heard evidence from the Council's Environmental Health team in respect of serious noise issues currently emanating from the premises together with evidence that six complaints were received from residents regarding the after pride event in 2016. This included one complaint being received at 05:50 hours due to the excessive noise. The applicant confirmed that he was communicating with a resident in respect to on-going noise issues but the panel considered he had taken insufficient steps to remedy the situation. The Panel was not satisfied that management of the premises had plans in place to prevent noise nuisance from either the buildings or the open area used to host a stage. The Panel noted that

access and egress to the buildings would be increased through the anticipated number of attendees and that the premises in question would be in use for additional hours in the early morning. There appeared to be no plan offered to reduce noise emanating from the stage area in the open space adjacent to the buildings. The applicant informed the Panel he had taken advice from a sound engineer as to the proposed positioning of speakers in the stage area but the Panel was not convinced that given the existing issues of noise nuisance from within the building the noise from the stage area would be effectively managed. Officers provided evidence that they were currently considering serving a Noise Abatement Notice on the premises.

2. The Panel was concerned that there appeared to be a lack of management at the premises. This was evidenced by recent incidents involving a serious assault and sales of alcohol on two occasions on two consecutive nights at the premises. The Panel was not satisfied that the Licensing Objectives would be upheld based upon evidence presented to it relating to the employment and training of staff. The reason given by the applicant for the failure of the test purchase was due to the lack of training but no evidence was provided as to the training of staff nor how door staff were managed.

3. The Panel heard evidence from the Police and Environmental Health Team that they had a number of concerns relating to the operation of last year's after party event.

4. The Panel did not consider that either the current Premises Licence conditions or evidence from the applicant persuaded it that the Licensing Objectives would be upheld should the event as planned proceed.

The Chair reminded both parties that they have the right of appeal to the Magistrates Court against the decision and that any such appeal should be made within 21 days of the receipt of the written determination and no later than five days before the scheduled event.

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LICENSING PANEL

THURSDAY, 17 AUGUST 2017

PRESENT:- Councillors Wayne Crabbe, Steph Exell and Eric Shaw.

An apology for absence was received from Councillor Abdul Amin.

57. Appointment of Chair

Resolved – That Councillor Eric Shaw chair this meeting of the Panel.
(Councillor Shaw took the Chair.)

58. Minutes

Resolved – That the minutes of the meetings held on 28th June, 5th, 7th and 10th July 2017, be confirmed and signed as a correct record.

59. 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.

60. Application for Premises Licence - Premier Local, 160 Cricklade Road, Swindon, SN2 8AG

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an application for a Premises Licence for Premier Local, 160 Cricklade Road, Swindon, SN2 8AG, (b) oral submissions in support of the application for the grant of a premises licence by Mr Furlong (solicitor to the applicant) and Mr Saravanbavananthan Thasarathakumaran (applicant), (c) documentation tabled at the hearing in relation to electronic till receipts and training records for staff at the premises in support of the application, (d) written submissions opposing the grant of a Premises Licence received from Wiltshire Police, (e) oral submissions opposing the grant of a premises licence received from Sian Kalynka (Police Licensing Officer) and Sergeant Steven McGlincy (f) questions from Members to the applicants and objectors and answers received, and (g) 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:

- The application for a Premises Licence was set out in Appendix A of the Agenda Papers.
- That consideration of the application had been slightly delayed due to the availability of representatives from interested parties.
- The history of licensable activities at the premises including a review of the old premises licence by the Police resulting from the employment of person not entitled to work in the United Kingdom and training issues.
- That the previous review called by the Police had not been undertaken as at that time there was no valid premises licence in operation.

- The premises licence application requested licensable activities from 08:00 – 23:00 hours.
- That the Police objection was on the basis that, if granted, the Prevention of Crime and Disorder Licensing Objective would be undermined.
- The Police objection was requesting the Panel to refuse the application but should it be granted that a number of conditions be attached to any Premises Licence.

The Police objection and summary of points raised can be broadly summarised as follows:

- The Police had previously visited the premises which had identified the employment of a person not permitted to work in the United Kingdom and breaches of the licensing conditions.
- A further visit on 16th December showed that breaches of the premises Licence conditions were still occurring.
- The review called following these visits had not been able to progress as the day prior to the hearing it had been discovered there was no premises licence in operation at 160 Cricklade Road.
- The applicant was believed to be the Premises Licence holder and Designated Premises Supervisor who had previously not upheld the Licensing Objectives.
- The facts as set out within the witness statement of PC Michael Diffin as appended to the agenda papers.
- The breaches of conditions 5,6, 7 and 9 of the premises licence on the visit by the Police to the premises in October 2016 and conditions 7, 8 and 9 of the premises licence on the visit by the police to the premises in December 2016.
- The failure of the premises Licence Holder to properly maintain CCTV equipment.
- Concerns of the police that any conditions approved for inclusion on a premises licence would not be enforced given the current history of the applicant.

Responses to questions to Wiltshire Police from Panel Members and the solicitor to the applicant can be broadly summarised as:

- The objection was based on the Police view that the applicant was not a suitable person to hold a Premises Licence or to be a Designated Premises Supervisor given his history of not upholding the Licensing Objectives.
- The condition relating to the sale of single cans or bottles of beer, cider or lager over 5.5% ABV was a common condition in Swindon.
- The condition relating to loitering around the premises was intended to reinforce the maintenance of the Licensing Objectives and to encourage responsibility by the Designated Premises Supervisor.

The submission by the solicitor to the applicant can be broadly summarised as:

- His client's concern that somebody not entitled to work in the United Kingdom had previously been employed by his brother-in-law.

- The history of the status of the person caught working illegally at the premises including her current on-going application for asylum and the complicated nature of the processes involved.
- That his brother –in-law had previously managed the premises and that his client had been in Sri Lanka at the time the lady was employed and subsequently caught working at the premises.
- His client's acceptance that whilst he was not directly involved in the employment of the individual that he could not absolve himself of responsibility.
- That his client had put into place checks and balances to ensure such a situation could not reoccur.
- In future written applications for employment would be accompanied by a declaration of the applicant's right to work in the United Kingdom.
- The issues relating to the failure to display Challenge 21 signage had arisen following renovations at the store and staff failure to replace these in the correct positions.
- Challenge 25 signage was now prominently displayed throughout the store.
- Age checks were also promoted by the till used at the premises and details of transactions and checks undertaken and audited and could be printed. Such systems were used by local co-operative stores and an example of a printout was tabled.
- The applicant, in recognition of training issues had undertaken, together with his brother-in-law, refresher training at the start of the year.
- All required licences and signage was appropriately displayed.
- When the Police previously visited the premises the hard drive for the premises CCTV was not working. This was not known by management until the Police visit. A new CCTV system had been installed at the premises which included 15 cameras which could be monitored by the applicant from anywhere in the world on a live feed and had a 50 day 6 Terra Byte hard drive.
- His client had assisted the Police previously by providing CCTV footage when approached regarding anti-social behaviour in the vicinity of his shop.
- His client could not be held responsible for issues in the vicinity of his premises that were not related to customers.
- His client would seek clarification from the Council's Licensing Manager on future queries relating to the management his business.
- He had fully complied with a request from the Council's Licensing team not to sell alcohol and to this end no alcohol had been sold at the premises since the review date in April 2017.
- His client will ensure all records are kept up to date and maintained in written form where required.
- That a Premises Licence should be issued with conditions 1, 2 and 3 and a modified condition 5 to exclude issues outside the premises.
- That condition 4 relating to the sale of single cans or bottles of alcohol would put his client in an uncompetitive position as other local shops were not subject to any such condition. It was not an issue for the Police to determine what individuals should drink.
- To his client's knowledge there had been no issues with customers of the shop for over five years.

Response to questions to the applicant and his representative from members of the panel and the Police can be broadly summarised as:

- Copies of the electronic till records could be printed to provide a refusals book if required.
- Training issues were the reason the applicant's brother-in-law was unable to answer police officers during their visits to the premises in October and December 20-16. Refresher training been undertaken both the applicant and his brother-in-law and written records of this training were available for inspection.
- The training referred to was provided internally.
- If further training was required by the panel the applicant would arrange for this to be undertaken.
- The applicant lived in Hayes Middlesex and had a family address in Swindon.
- The till system could be programmed to show which member of staff had made a refusal of sale of an age restricted product.
- There would be two members of staff that were in possession of a personal licence.
- His client was fully aware of the potential ramifications should there be breaches of any conditions placed on a premises licence if such a licence were approved.

Resolved - After considering: -

1. The application for a Premises Licence ; 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;

The Panel has determined the following: -

1. That a Premises Licence be granted for the sale of alcohol for off sales for the following permitted hours be:

Monday to Sunday 08:00 until 23:00

2. That in addition to the Council's mandatory conditions the following additional conditions should be applied to the licence: -

1. A Challenge 25 policy shall be operated. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence or PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in a refusals book, identifying the member of staff who refused the sale. This book is to be kept on the premises and shall be made available to officers of any of the responsible authorities on request.

2. Should the refusals book incorporate the electronic print out system operated at the premises this system shall be modified to identify the member of staff making the refusal together with details of the age restricted product refused for sale. Such print outs shall be made on a daily basis.
3. No staff shall be permitted to sell alcohol until they have completed external training upon induction, designed to ensure that no person who is unduly intoxicated is sold alcohol and to ensure that they understand the 'Challenge 25' policy. Those staff shall receive refresher training every three months (this can be provided internally). Records of this training shall be kept at the premises and shall be made available to officers of any of the responsible authorities on request.
4. CCTV equipment which is fit for purpose and which covers all trading areas and entrance areas shall be provided and maintained in working condition when the premises are open for business. The CCTV product will be maintained for a minimum of 40 days and shall be provided to enforcement bodies on request. There must be a person on the premises able operate and to download CCTV at all times the premises is open for trading.
5. That the Premises Licence Holder shall retain at the premises a copy of documentation relating to any check that any person working at the premises has the right to work in the United Kingdom. Such documentation shall be made available to officers of Statutory Authorities upon request.

Reasons

1. The Panel noted the applicant's proposal for a Challenge 25 Policy as set out in his application and confirmed at the hearing by his solicitor.
2. The Panel determined that the use of an external trainer for training on Challenge 25 and in respect of the sale of age restricted products was appropriate and proportionate given the history of the management and operation of the premises.
3. The Panel considered that the computer system in operation for recording refusals in respect of the sale of age restricted products should incorporate additional information in order to enable it to be a robust tool for upholding the licensing objectives.
4. The Panel determined that the request by the Police for no single cans of alcohol over 5.5% ABV was not appropriate as no evidence was provided to show that such sales were currently undermining the licensing objectives, nor was a history of such a problem provided.
5. The Panel considered that the proposed police condition preventing loitering outside the shop after 21:00 hours was not enforceable. It did note that there was an expectation that any management of premises should take reasonable steps to prevent this occurring and liaise with the police should

such issues arise.

6. The Panel noted that the application referred to only two members of staff working at the premises and heard oral evidence that a third part-time employee would commence work at the premises. The Panel determined that the number of staff working at the premises was outside its remit and that the employment of staff could be appropriately conditioned through right to work in the United Kingdom checks and training.

The Chair remind 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 this determination.

EDUCATION TRANSPORT APPEALS SUB-COMMITTEE

TUESDAY, 29 AUGUST 2017

PRESENT:- Councillors Wayne Crabbe, Vera Tomlinson and Peter Watts.

1. Appointment of Chair

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

(Councillor Watts took the Chair)

2. Declarations of Interest

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

3. Minutes

That the minutes of the meeting held on 14th December 2016 be confirmed and signed as a correct record.

4. Exempt Items - Exclusion of Press and Public

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 5 refers).

5. Home to School Transport Appeals

On consideration of (a) a report of the Director of Children Services setting out education transport appeals that officers could not determine under delegated authority, and (b) the comments and written submissions of parents.

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

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Section 4

Children Services Bodies Minutes

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SCHOOLS FORUM

TUESDAY, 4 JULY 2017

PRESENT: -

- School Members:** Jackie Smith, Vice-Chair - Special Headteacher
Rhian Cockwell, Primary Headteacher
Wendy Conaghan, Academy Headteacher
Charles Law, Special Governor
James Povoas, Academy Headteacher
Ben Slater, Pupil Referral Unit Headteacher
Ray Williams, Primary Governor
Clive Zimmerman, Academy Headteacher
- Non-School Members:** Peter Smith, Trade Unions
Ram Thiagarajah - Black and Minority Ethnic (BME)
- Officers:** Ian Burbidge (Head of Finance, Technical)
Anne Mackay (Finance Manager, Education)
Peter Nathan (Head of Education)

Apologies for absence were received from Janet Urban (Primary Headteacher), Mark Edwards (Governor - Secondary), Alison Lowe (Primary Headteacher) and Jo Morris (Early Years).

Also in attendance: Councillor Fionuala Foley, Cabinet Member, Children's Services and School Attainment.

1. Appointment of Chair

Resolved – That Janet Urban (Primary Headteacher) be Chair of the Schools Forum for the Municipal Year 2017/18.

2. Appointment of Vice-Chair

Resolved – That Jackie Smith be Vice Chair of the Schools Forum for the Municipal Year 2017/18.

3. Minutes of Previous Meeting

Resolved: That the minutes of the meeting held on 28th March 2017 be confirmed and signed as a correct record.

4. Public Question Time

No public questions were asked.

5. Schools Forum Membership

The Head of Education updated the Forum on Membership matters. He advised that, by September 2017, there would be five vacancies within the Academy block and that he had been in contact with the Academy Trusts regarding the election process.

The Head of Finance, Technical, explained that a report on membership of the Forum would be submitted at the October meeting as the term of office for some members would be expiring in August 2017.

Resolved: That Swindon Association of Primary Headteachers, Swindon Association of Secondary Headteachers and Association Swindon Special School Headteachers liaise together before the next meeting of the Schools Forum to elect five representatives to the Forum.

6. Post 16 High Needs Funding Update

The Education Commissioner, submitted a report updating the Forum on the level of funding available and the proposed funding allocations for 2017/18 for post 16 high need students that included students attending further education colleges, independent specialist college and other training providers. The Commissioner explained that whilst the budget for this year was less than that allocated last year, the banding values had not changed. The Forum noted that the Local Authority would fund element 3 top ups for a total of 453 students during the 2017/18 academic year and this was an increase of 146 pupils over the Education and Skills Funding Agency approved placements collated through the High Needs Return in October 2013.

Resolved – (1) That it be noted that:

(a) The Local Authority's latest estimate was that a total of 453 Full Time Equivalent ('FTE') post 16 (excluding sixth form) high needs students will need to be financed during the 2017/18 academic year, as detailed in Para. 3.1 – 3.5.

(b) The estimated annual net costs of 53 places at Independent Service Providers ('ISP') was £0.487m and would be charged to the 2017/18 financial year budget as detailed in Para. 3.6 – 3.12.

(c) The annual allocations for Further Education ('FE') College and Training Providers totalling £1.207m would be charged to the 2017/18 financial year as detailed in Para. 3.6 – 3.12.

(d) There was a contingency budget of £0.198m for 88 identified high needs students with no confirmed destination in the financial year as detailed in Para. 3.6 – 3.12.

(e) The current budgeted figures would result in an overspend of £17k, and that the banding values / contingency would be reviewed as part of the October Schools Forum report as detailed in Para. 3.6 – 3.12.

(f) The overall financial year and academic year budget position shown in Table 2 is detailed in Para. 3.6 – 3.12.

(2) That it be agreed that the 2017/18 indicative banding values shown in Table 2 and that these will be reviewed if there was significant variance due to actual take up of places as detailed in Para. 3.6 – 3.12.

7. 2016-17 Actual Year End School Balances

The Finance Manager, Education, submitted a report advising the Forum

regarding the final position on 31st March 2016 school revenue balances compared with the estimated position as forecast by schools in December 2015. The Forum noted that the Local Authority was required to monitor the level of school balances held by schools to provide assurance to the Council's Chief Finance Officer, Director of Children's Services and Cabinet Member for Children's Services and Schools Attainment regarding the financial sustainability of individual schools. The Finance Manager referred to Table 1 of the report, showing how the Local Authority monitored the accuracy of school financial forecasting.

The Finance Manager, Education, elaborated on the financial positions of Red Oaks, Robert Le Kyng and Westrop Primary Schools. The Head of Education responded to a query regarding the request for funding for Robert Le Kyng SRP as submitted at the Forum's meeting on 28th March 2017. The Chair requested that schools be advised what a reasonable brought forward balance should be at the end of the year. The Forum discussed the issue of carried forward balances and how a benchmark might be selected and adopted.

Resolved – That it be noted that:

(a) 26 of 39 (66.7%) of schools final year end reported balances were close to the estimates provided in December as measured by the thresholds agreed by Schools Forum.

(b) 9 of 39 (23%) of schools were reasonably accurate in forecasting their year end balances.

(c) Only 4 of 39 (10.3%) schools have reported significant variances between their final and December estimates of their projected year end balances.

(d) Final school balances, adjusted to exclude in-year Academy conversions, are forecast to be £4.6m which is 32% higher than the December estimates of £3.54million.

(e) One maintained school and the Special Resource Provision ('SRP') unit at one maintained school opened the year with a deficit, two maintained schools and one SRP unit were in deficit at 31st March 2017. The two maintained schools will be submitting balanced approved budgets for 2017/18.

(f) The Local Authority will present further information on the planned use of school balances to the October 2017 Schools Forum.

(2) That the Finance Manager, Education, be requested to submit further information to the Schools Forum on the surplus accrued by Robert Le Kyng Schools at the October 2017 Schools Forum.

(3) That the Finance Manager, Education, be requested to submit further information to the Schools Forum on Robert Le Kyng's SRP financial balance at the October 2017 Schools Forum.

(4) That the Finance Manager, Education, be requested to include information regarding best practice for carrying over financial balances at year end in the next report at the October 2017 Schools Forum.

8. Final Dedicated Schools Grant Outturn 2016/17

The Finance Manager, Education, presented a report regarding the final position of the 2016/17 retained Dedicated Schools Grant (DSG) budget following closure of the Local Authorities 2016/17 final accounts. The report provided information on the final spend against the 2016/17 centrally retained budget including commentaries on those areas of the budget where forecast figures proved to be inaccurate. The Finance Manager advised that the retained DSG is monitored in accordance with standard Council budgetary control procedures and submitted

monthly to the Education Leadership Team and periodically submitted to the Corporate Management Team and Cabinet. The Finance Manager referred to the decrease in the final turn-out position and explained that the reasons for the variance from the previous position of £0.424m were the increase in High Needs Top ups following banding adjustments, costs of a new tri-partite funded with Children Social Care and Health and the increase in pressure in Tuition service for pupils that were not funded.

Resolved: That it be noted that:

- (a) The final outturn position (subject to external audit) on the 2016-17.
- (b) Following the out-turn position, the unallocated DSG balance will increase to £0.568m.

9. 2017-18 Dedicated Schools Grant Budget Position

The Finance Manager, Education, submitted a report on the latest projected 2017/18 Dedicated Schools Grant (DSG) retained budget position. It was noted that the latest projection on the 2017/18 retained budget was an out-turn position that would be £0.142 above budget with the projected out-turn position for the unallocated DSG balance would decrease to £0.426m. The Finance Manager explained that Appendix A gave a detailed breakdown of figures and that this information was submitted to the Education Leadership Team at the end of May 2017. The Schools Forum noted the main budgetary pressures were an increase in the overall numbers of pupils in External Placements and High Needs Top-ups and the recoupment by the Education Funding Agency of 26 additional post 16 Element 2 payments that the Local Authority needs to pay for the academic year 2017/18.

Resolved: That it be noted that:

- (a) The final outturn position (subject to external audit) on the 2017-18 retained budget was £0.142m above budget.
- (b) Following the projected out-turn position, the unallocated DSG balance will decrease to £0.426m.

10. 2017-18 DSG budget and Forward Look

The Forum considered a report by the Head of Finance, Technical, updating members on various budget issues that remained unresolved following the Forum's meeting on 28th March 2017. The Head of Finance, Technical, advised that the report included information on the latest position of the 2017/18 Dedicated Schools Grant (DSG) settlements and budget. The Head of Education gave an update on the High Needs review being undertaken and advised that with the help of a steering group, a range of areas will be reviewed and these included commissioning of services and funding issues.

The Head of Finance, Technical, explained that St Luke's School had requested funding from reserves to help with its reorganisation of the school. It was noted that DSG would be affected when new schools open across the Borough.

Following the introduction of the report, the Chair, with the Head of Education, responded to members' comments and questions in respect of the following matters:

- High Needs Review. There was no model to benchmark the Review against other local authorities and the consultant was using best practice from

various models.

- Composition of the High Needs steering group.
- Funding for St Luke's School. The school would be unable to obtain an external grant.
- Financing new schools and the financial effect on current schools after the opening of the new ones.

Resolved - That it be noted that:

(a) An update relating to Robert Le Kyng PD SRP will be submitted at the next meeting of the Forum in October 2017.

(b) The current state of the High Needs review as detailed in Para. 3.4.

(c) The Local Authority was looking for a sustainable financial model for the Oakfield project as detailed in Para. 3.7 – 3.10.

(d) Forecasts of required pupil growth funding will need to be considered as part of future budget setting processes as detailed in Para. 3.11 – 3.12.

(e) The current review of the apprenticeship levy arrangements for maintained schools as detailed in Para. 3.13.

(f) The Forum discussed the views of SAPH in relation to the Nylands Campus Outreach Team as detailed in Para. 3.14 - 3.15.

(2) That the Schools Forum approve the use of £22k of reserve to support St Luke's School.

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STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

TUESDAY, 27 JUNE 2017

PRESENT:-

Group A: Christian Denominations and Other Religions or Religious Denominations	Mr David Burbidge (Baptist Church), Reverend David Howell (Swindon Evangelical Alliance) and Mr Dinesh Patel (Hindu Community)
Group B: Church of England	Reverend Clive Deverell, Miss Janet French, Reverend Norma McKemey and Ms Steph Mundin
Group C: Teacher Organisations	Mrs Emma McCarthy
Group D: Councillors	Councillors Mrs Lottie O'Brien (Chair), Fionuala Foley, Fay Howard, Barbara Parry and Gary Sumner

Also in attendance: Peter Nathan and Katy Staples (SACRE
Advisor) Jo Garton (Swindon Humanists), Sarah
Lane-Cawte and Michelle Howard.

Apologies for absence were received from Councillor Matthew Courtliff, Jo Backus, Fidelma Meehan, Mr Gurchoran Singh Lyal, Mrs Tracy Mason, Mrs Mandy Sandleton, Mr M S Khan, Mr Tony McAteer, Sarah Foulkes and Councillor Matthew Courtliff

1. Appointment of Chair

Resolved - (1) That the appointment of Chair for the Municipal Year 2017/18 be deferred to the next meeting of the SACRE being held on 5th December 2017.
(2) That Lottie O'Brien be appointed as Chair for this meeting of the SACRE only.

2. Appointment of Vice-Chair

Resolved - That the appointment of Vice-Chair be deferred to the next meeting of the SACRE being held on 5th December 2017.

3. Welcome from Oliver Tomkins School

The Headteacher, Rhian Cockwell and Vice-Chair of Governors, Clive Deverell, welcomed the SACRE to Oliver Tomkins Infant and Junior Schools, and with reference to the role and function of SACRE, for members' information, Ms Cockwell briefly summarised the School's approach to religious education for pupils.

4. 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 Gary Sumner made a personal, non-prejudicial declaration of interest in respect of all Agenda Items, on the grounds that his wife is a deputy head teacher of a Swindon school.

5. Public Question Time

No public questions were received during the meeting.

6. Minutes

Resolved – That the minutes of the meeting held on 7th March 2017, be confirmed and signed as a correct record.

7. Development Plan - 2016-2018

The SACRE received the updated Swindon SACRE Development Plan 2016-18, which was due to be developed further taking into account the suggested vision statement and goals for Swindon SACRE.

The SACRE considered the vision statements and analysed each of the four goals in relation to (i) how the Plan works, (ii) the Plans successes, and (iii) future actions. The SACRE felt that Plan was too complex and trying to achieve too much. It was suggested that, in order for the Plan to become a workable document and to ensure that recommendations are deliverable, the number of actions under each goal should be reduced to four or five. The following issues were raised and debated by members:

- The ability to Swindonise the Goals and teaching materials to support teachers.
- Schools to focus on the areas of the curriculum in relation to Religious Education (RE) they feel comfortable delivering.
- The differences between the delivery of RE in Community Schools and Faith Schools.
- Ofsted's expectation of schools developing the whole person.
- Informing the Swindon Areas Secondary Heads (SASH) of the SACRE agenda.
- Evaluating the new Agreed Syllabus for RE.
- The lack of funds to place the Agreed Syllabus for RE on-line, along with SACRE web pages.
- Primary schools being more compliant than secondary school with collective worship.
- Available guidance documents on Collective Worship.
- Undertaking a review of the Time to Breathe document.
- Including the SACRE Terms of Reference on the agenda.

- Removing the Key Performance Indicators from the Development Plan 2016-18.
- Creating a working contact list of suitable speakers on different faiths.
- National Association of Teachers of Religious Education (NATRE) guidance about the expectations placed on speakers visiting schools.
- Responding to national and local crisis and possible guidance for RE Teachers.

Resolved – (1) That the SACRE Advisor updates the draft Development Plan 2016-18, in line with members' comments during the debate of the item, as summarised above.

(2) That Jo Gorton, in her role as a Swindon Community Radio presenter, be asked to interview secondary school children about their thoughts on the New Agreed Syllabus for RE.

(3) That action A1 be removed from Goal 2.

(4) That the Time to Breathe document be further reviewed.

(5) That, in future, the SACRE Terms of Reference be included on the agenda frontsheet.

(6) That Steph Mordin and Jo Gorton prepare a contact list of suitable speakers on different faiths, as a resource for RE teachers.

(7) That the SACRE Advisor prepare guidance for RE Teachers about how they best respond to national and/or local crises.

8. NASACRE AGM Report and National Developments

The SACRE considered an update report from the SACRE Advisor on a number of National Developments in relation to Religious Education, in particular feedback from the National Association of SACRE's Annual General Meeting.

The SACRE Advisor informed the SACRE of the most recent work of the Commission on Religious Education's and its request for evidence from SACRE's about observations and experiences over the years in relation to Religious Education. The SACRE Advisor provided a suggested response to the Commission, about 'Common baseline entitlement to RE' being the issue that most concerns Swindon SACRE at this time.

In supporting the draft response, the SACRE suggested that the local MP's should be contacted for comments before the response is forwarded to the Commission.

Resolved – (1) That the response prepared by the SACRE Advisor to the most recent request for evidence by the Commission on religious Education be agreed.

(2) That the two local MP's be asked to comment on the SACRE's response prior to it being forwarded to the Commission.

(3) That the SACRE Advisor seek to take appropriate steps to try and raise awareness of RE at future Swindon Association Secondary Headteachers meetings.

9. Feedback from Hub Meetings

The SACRE received an update from Emma McCarthy, Hub Leader, about the recent RE Hub meeting. The Hub Leader explained that both primary and

secondary schools attended the meeting and, although the numbers attending were less than the previous meeting, it was helpful to have a smaller group to build relationships and encourage the interaction between primary and secondary RE teachers.

10. Thanks to Sarah Lane Cawte

The Chair and SACRE Advisor, on behalf of the Swindon SACRE, thanked Sarah Lane-Cawte for chairing the SACRE over the years and for her enthusiasm, incredible energy, hard work, knowledge and expertise of both local and national religious education issues. The SACRE wished Mrs Lane-Cawte all the best for her move and new life in Sussex.

11. Date and Time of the Next Meeting

It was noted that the next meeting of the SACRE would be held on Tuesday, 5th December 2017, commencing at 6:00pm, venue to be agreed.

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

MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 29 JUNE 2017 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Peter Evans (Substitute), Cllr Anna Cuthbert, Cllr Ross Henning, Cllr Brian Mathew, Cllr Jonathon Seed, Cllr Junab Ali, Cllr Abdul Amin, Alan Bishop, Cindy Creasy and Chris Henwood

Also Present:

Cllr Sue Evans

14 Appointment of Chairman and Vice-Chairman

Resolved:

To elect Councillor Richard Britton as Chairman for the forthcoming year.

To elect Councillor Junab Ali as Vice-Chairman for the forthcoming year.

15 Apologies for Absence

Apologies were received from Councillor John Smale, who was substituted by Councillor Peter Evans.

16 Minutes and matters arising

Resolved:

To approve and sign as a correct record the minutes of the meeting held on 2 March 2017.

Note: As the Chairman had to leave the meeting before it concluded, the minutes were signed after the meeting by the Vice-Chairman.

17 Declarations of interest

There were no declarations of interest.

18 Chairman's Announcements

Through the Chair it was stated following the last annual conference of Police Commissioners there had been the suggestion of creating a national association of

Police and Crime Panels as well. The Chairman would keep the Panel updated as to any progression.

There would be an LGA workshop on 12 July 2017 in Faringdon principally related to scrutiny of fire services, but which would also be relevant to Police and Crime Panels.

On behalf of the Panel the Chairman also acknowledged the well-deserved award of an MBE to the Police and Crime Commissioner in the Queen's Birthday Honours for his many years of public service.

19 **Public Participation**

There were no statements or questions submitted relevant to the Panel's remit.

20 **PCC Annual Report**

All Police and Crime Commissioners are required to produce an annual report on performance against a Police and Crime Plan, including financial information. The report would be a public facing document, and the Panel have a duty to comment upon it prior to publication.

Angus MacPherson, Police and Crime Commissioner, presented the draft annual report, highlighting key achievements, challenges, delivery of aims and a financial overview. He emphasised that performance monitoring was constant, and that despite evolving threats Wiltshire was one of only seven police forces which had received a rating of 'good' in all areas of business assessed by the Police Effectiveness, Efficiency and Legitimacy (PEEL) programme from Her Majesty's Inspectorate of Constabulary (HMIC). Other details noted in the report was recorded crime being up 11%, with domestic burglary a majority priority which was receiving additional resource. He also commented upon recent terrorist acts, and commended the Chief Constable for his leadership, and all the staff for their work on the frontline to protect the people of Wiltshire.

The Panel discussed the draft report and sought additional detail from the Commissioner. In response to queries it was stated there had been a trend in falling anti-social behaviour, though this was to some degree likely to be due to recategorization of some offences as violence without injury crime, of which there had been an increase. As noted in the report, however, there had been genuine increases in some specific crime types.

The 10,000 who had signed up to community messaging from the police was discussed, with comments on how this could be expanded working with partners such as the fire service and local councils, and it was felt the Panel should write to both local authorities to encourage cooperation to improve the system's reach, as well as avoid duplication of effort.

It was noted that considerable savings had been made, and that although they had performed well in the circumstances, Wiltshire remained one of the lowest funded

forces in the country. Details of lobbying efforts to central government for a funding formula that reflected in a fairer way the increased costs arising from rurality and other issues that impacted the cost of policing in Wiltshire were noted, although it was stated the funding formula was unlikely to be reviewed in the short term. However the Panel requested a public letter be sent to the new policing minister on the subject.

Other topics discussed included increased involvement of the commissioner with the Criminal Justice Board, recruitment and retention of Special Constables, in particular signposting volunteers to other areas they could assist if they were unable to progress to be a Special, police morale, high retirement rates, emphasising the scrutiny function of the Panel and detailing how the Chief Constable was held to account by the Commissioner.

Suggestions were also made on layout and presentation of the draft annual report, including listing the partners worked with and display of performance data.

Resolved:

For the Office of the Police and Crime Commissioner to take into account the comments raised by the Panel in the meeting and to redraft the annual report as appropriate.

21 Quarterly data (Q4)- Performance / Risk / Finance / Complaints

Performance

The Police and Crime Commissioner presented a report on performance information for the fourth quarter 2016-17, being 1 January-31 March 2017, before receiving questions from the Panel.

It was noted that domestic burglary rate had increased, and while it was the case as detailed in the report that the rate had risen from a very low base, there was concern from some members that the focus on that historic low base meant the significant increase was being seen in the wrong context, as the intent would be ensure it stayed low. There were also questions on how racially motivated crimes were noted and recorded.

It was also felt that including headline figures of more than just the preceding quarter would be useful for comparative purposes, in order to identify any trends rather than what might seem as anomalous quarterly increases.

Risk

The risk register was also presented. Details were sought on unsuccessful attempts to collaborate with other police services such as Avon and Somerset, and how much specific risk should be listed as a result. There were also questions on the delayed implementation of a new communications system, which was impacted by national issues relating to coverage from the contractor.

In response to queries it was confirmed that projects were reviewed more frequently than once a quarter to monitor progress, even though the register itself was only updated quarterly.

Complaints

The Panel also received a report from Professor Allan Johns on the monitoring of professional standards, including complaint appeals for the past year. It was stated Wiltshire was not out of line with national figures in seeing a high number of complaints, the vast majority of which received local resolutions, and it was not felt there were concerns at the efficiency and effectiveness of the processes. It was also noted that discussions were underway with the commissioner's office on undertaking a review with regard to compliance in respect of the recording of complaints, and the Panel requested details at its next meeting should a review take place, which the Panel felt it should.

Details were sought on the number of appeals being upheld, the obligation of officers and staff to report wrongdoing, recording of complaints, source of complaints and other matters as noted in the report.

Resolved:

To note the updates as detailed.

22 **Deficit/Savings Report**

A report was received on actions taken to balance the 2017-18 budget and early planning for the 2018-19 budget. Following a 1.9% rise in the police precept, 1.3% reduction in central funding and growth pressures on the budget, a total of £2.280m of savings needed to be identified.

Details of the savings for 2017-18 as well as savings achieved in previous years were provided, with reductions coming through operations support, managing vacancies, pensions savings and forensics. It was noted over £2m have been saved since 2011 through improved collaborations such as the Tri-Service and Firearm training facility, and that legal agreements determined how much each collaborator saved as a result. The largest amount of savings overall, and another £0.336m for 2017-18, was from General Expenditure, which included general training, travel, equipment sets and other associated expenditures.

Details were also provided on forecast savings for 2018-19 of £2.4m, with focuses on further moves toward community focused PCSOs and Local Crime Investigators, as well as additional collaboration. The Panel were informed it was anticipated the plan would lead to a balanced budget.

Resolved:

To note the update.

23 **Review of Community Policing**

The meeting was informed a review on the Community Policing model was ongoing and a report would be published in July 2017, which would enable further adjustments if appropriate once the model could be evaluated. Key questions would include how well the model had been embedded, if it was effective at improving customer experience, community and staff wellbeing and the public perception. Staff had been surveyed and there had been hundreds of public responses to a consultation on the model.

The Panel discussed the Community Policing model, noting that it was important that implementation had been consistent, and that areas where this had not been achieved would need early identification to address. It was also commented that more written updates from the community teams would be of assistance to local democratic bodies and the public.

To note the update.

The Chairman left the meeting at 1300. Councillor Junab Ali in the Chair.

24 **Restorative Justice**

A brief update was received on the Restorative Justice programme (insert video link), with referrals into the service, designed to rehabilitate offenders through engagement and reconciliation with victims and the community.

25 **Specials Recruitment**

An update was provided on the recruitment of Special Constables, with 68 who had completed the training and over 200 candidates attending the initial experience day, testing fitness levels and other issues. Specials would be allocated to community policing teams.

The Panel noted that the main priority was retainment, not merely recruitment, and it was stated feedback from Northampton Police had been of attrition rates of 40%.

In response to concerns about regular constables and Police Federation acceptance of Specials, it was stated there had been an increase in support, as staffing levels required their assistance. The Panel also highlighted the importance of signposting candidates to other areas they could volunteer or assist, should they not be able to be appointed as a Special Constable.

Details were also sought on whether there was a split between the main urban and rural areas of Wiltshire in terms of candidates.

Resolved:

To note the update

26 **Member Questions**

Two questions had been submitted, which would be circulated with the minutes.

27 **Forward Work Plan**

The forward plan not having been included with the agenda, it would be circulated after the meeting.

28 **Future meeting dates**

The next meeting of the Police and Crime Panel will be on 14 September 2017.

Future meeting dates were: 7 December 2017.

(Duration of meeting: 10.30 am - 1.30 pm)

The Officer who has produced these minutes is Emily Higson, of Democratic Services, direct line 01225 713990, e-mail emily.higson@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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**DORSET & WILTSHIRE
FIRE AND RESCUE
AUTHORITY**

**DRAFT Minutes of the
Dorset & Wiltshire Fire and Rescue Authority held at 10:00 hours on Tuesday
27 June 2017 at the
Dorset & Wiltshire Fire and Rescue Service Headquarters, Salisbury**

These are draft minutes prepared by officers to be approved by the Fire and Rescue Authority at their next meeting.

Members present: Cllr Spencer Flower (Chairman); Cllr Garry Perkins (Vice Chairman); Cllr Steve Allsopp; Cllr Abdul Amin; Cllr Mark Anderson; Cllr Richard Biggs; Cllr Kevin Brookes; Cllr Steve Butler; Cllr Les Burden; Cllr Ernie Clark; Cllr Malcolm Davies; Cllr Andrew Davis; Cllr Matthew Dean; Cllr Beverley Dunlop; Cllr Brian Dalton; Cllr Peter Hutton; Cllr Colin Jamieson; Cllr Susan Jefferies; Cllr Bob Jones; Cllr Rebecca Knox; Cllr Colin Lovell; Cllr Christopher Newbury; Cllr Paul Oatway; Cllr Byron Quayle; Cllr Pip Ridout; Cllr Christopher Rochester; Cllr Vikki Slade; Cllr Ann Stribley; Cllr Robert Yuill.

Officer attendance: CFO Ben Ansell, Clerk & Monitoring Officer, Mr Jonathan Mair; ACFO John Aldridge; ACFO Jim Mahoney; ACFO Mick Stead; Director of Finance & Treasurer, Mr Phil Chow; Director of Corporate Services, Mr Derek James; Head of Democratic Services and Corporate Assurance, Mrs Jill McCrae; Head of Information Management and Communications, Mrs Vikki Shearing; Media & Communications Manager, Ms Louise Knox; HR Consultant, Mr Steve Mason; Group Manager Seth Why; Area Manager Craig Baker; Democratic Services Officer, Mrs; Marianne Taylor

17/23 Welcome

- 17/23.1 The Monitoring Officer opened the meeting and welcomed newly appointed Members to their first meeting and all attendees.

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17/24 Election of Chairman 2017/18

17/24.1 The Monitoring Officer asked for nominations for the role of Chairman of the Dorset and Wiltshire Fire and Rescue Authority: Cllr Flower was proposed and seconded, there being no other nominations and on being put to a vote Cllr Flower was elected unanimously.

17/24.2 Members supported a vote of thanks for the outgoing Chairman, Cllr Rebecca Knox.

17/24.3 **RESOLVED: That Cllr Spencer Flower be elected as Chairman of the Dorset & Wiltshire Fire and Rescue Authority for 2017/18.**

17/25 Election of Vice Chairman

17/25.1 The Chairman asked for nominations for the role of Vice Chairman. Cllr Perkins was proposed and seconded and there being no other nominations and on it being put to a vote Cllr Perkins was elected as Vice Chairman unanimously.

17.25.2 **RESOLVED: That Cllr Garry Perkins be elected as Vice Chairman of the Dorset and Wiltshire Fire Authority for 2017/18.**

17/26 Apologies

17/26.1 Apologies were received from Cllr Nick Martin and the Director of People Services, Ms Jenny Long.

17/27 Code of Conduct, Declarations of Interest and Notifications of Any Other Business

17/27.1 The Chairman asked the meeting for any disclosures of pecuniary interests under the Localism Act. There were no disclosures.

17/28 Welcome Address

17/28.1 The Chairman welcomed all Members and especially those attending their first meeting. He thanked Members for the confidence they had shown in him and hoped that he would provide chairmanship as good as his immediate predecessor.

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17/29 Confirmation of the Minutes of the Dorset & Wiltshire Fire and Rescue Authority meeting on 9 March 2017

- 17/29.1 The Chairman asked Members to review the minutes from the meeting held on 9 March 2017.
- 17/29.2 One Member asked that letters of thanks should be sent to all Members not returned to the Authority following the recent elections. The Clerk & Monitoring Officer confirmed that letters of thanks were sent to Members who were not standing. He would extend this to Members not re-elected or not returned to the Authority by their constituent Council. The previous Chairman confirmed that Certificates of Service were given to retiring Members.
- 17/29.3 The Chairman asked Members to review and approve the minutes from the meeting of 9 March 2017.
- 17/29.4 **RESOLVED: that the minutes of the meeting of the Authority held on 9 March 2017 be confirmed without amendment, and signed by the Chairman as a correct record.**
- 17/29.5 **ACTION: The Clerk and Monitoring Officer will write letters of thanks to Members not re-elected or returned to the Authority.**

17/30 Minutes of the Finance, Governance & Audit (FG&A) Committee meeting on 22 March 2017

- 17/30.1 The Chairman of the FG&A summarised the main business considered by the Committee.
- 17/30.2 **RESOLVED: The Minutes of the above meeting be received.**

17/31 Appointments to Committees 2017/18

- 17/31.1 The Dorset & Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015 sets out the proportions in which the constituent councils are each entitled to appoint councillors to serve as Members of DWFA. The Authority must then appoint Members to serve on its committees; to a range of other positions and to outside bodies.
- 17/31.2 The Clerk & Monitoring Officer took Members through the nomination requirements and asked Members to approve a number of appointments.
- 17/31.3 Nominations were invited for the roles of chairmen of each of the following Authority's main committees and on it being put to a vote, the following were elected
Chairmen 2017/18:

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Policy & Resources (P&R) Cllr Spencer Flower
Finance, Governance & Audit (FG&A) Cllr Bob Jones
Appeals Committee: Cllr Matthew Dean.
Note the Chairman of the Authority is also the Chairman of the
Appointments, Complaints and Disputes Committee.

- 17/31.4 Members were asked to note each political group's choice of group leader:
Conservative group leader – Cllr Spencer Flower
Liberal Democratic group leader – Cllr Bob Jones
Labour group leader – Cllr Abdul Amin
- 17/31.5 Member champions 2017/18:
Health and Safety – Cllr Bob Jones & Cllr Robert Yuill
Children and young people – Cllr Susan Jefferies
Equality, Diversity and Inclusion – Cllr Garry Perkins; Cllr Rebecca Knox
Prevention & Health Partnerships - Cllr Rebecca Knox; Cllr Colin Jamieson
Response – Cllr Christopher Newbury
Asset Management and Climate Change – Cllr Matthew Dean
On-Call – Cllr Colin Jamieson; Cllr Steve Butler; Cllr Andrew Davis
Protection – Cllr Pip Ridout
Governance – Cllr Christopher Newbury; Cllr Bob Jones
- 17/31.6 Appointments to various bodies 2017/18
Local Government Association (LGA) – General Assembly – Cllr Spencer Flower; Cllr Garry Perkins; Cllr Christopher Newbury.
LGA Fire Commission – Cllr Spencer Flower; Cllr Rebecca Knox; Cllr Garry Perkins as deputy
Bournemouth Community Partnership Board – Cllr Malcolm Davies
Safer Poole – Cllr Les Burden
Dorset Community Safety Partnership – Cllr Kevin Brookes
Swindon Community Safety Partnership – Cllr Garry Perkins
Wiltshire Community Safety Partnership – Cllr Peter Hutton
South West Councils – Cllr Spencer Flower
South West Councils Employers' Panel – Cllr Garry Perkins
Wiltshire Assembly – Cllr Spencer Flower & CFO
- 17/31.7 Members discussed future appointments where vacancies arise and agreed to the proposal in line with recommendation six of the report.
- 17/31.8 **RESOLVED: That the Committee Chairmen be elected as set out in minutes 17/31.3 and that the appointments be made as set out in minutes 17/31.5 and 17/31.6.**
- 17/31.9 **RESOLVED: Members noted the agreed group leaders.**

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- 17/31.10 **RESOLVED:** That the Chairman and Monitoring Officer, after consultation with group leaders, are granted delegated authority to appoint Members to serve on outside bodies not identified in this report; or where Member vacancies arise on the Committees of the Authority.
- 17/31.11 **RESOLVED:** That the Monitoring Officer, after consultation with group leaders, is granted delegated authority to appoint Members to Committees, in line with group leader nominations.
- 17/31.12 **ACTION:** The Monitoring Officer to advise the Democratic Services Officer of Committee membership and membership of outside authorities, once completed.
- 17/31.13 **ACTION:** Democratic Services to update the various lists, the website and circulate to Members and Officers.

17/32 Fire and Rescue Service Overview (DVD)

- 17/32.1 Members viewed the Service's June podcast which is also available to view on the website (dwfire.org.uk). The podcast covered a range of activities that had taken place to engage with the community, young people and the British military to prevent accidents, incidents and fires. A number of serious fire and rescue activities were also highlighted in the June podcast.
- 17/32.2 The Chairman thanked the Service for the work carried out to develop the podcast.

17/33 Service Performance Review 2016-17

- 17/33.1 The Chief Fire Officer gave a comprehensive presentation on the Service's performance and key activities over the last 12 months against priorities and key lines of enquiry.
- 17/33.2 Of particular note was the good work being carried out through engagement with a number of young people to change and save lives; and with vulnerable people through partnership working and safe and well visits which help to reduce risk in the home.
- 17/33.3 Positive relationships with safeguarding boards, local resilience forums and the good measures for outcomes through internal and external audits were noted.
- 17/33.4 Grenfell Tower fire, London 14/6/17
The Chief Fire Officer presented a short briefing on the Grenfell Fire Tower tragedy and reminded Members that there is an on-going public

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inquiry. It was important therefore not to prejudge in any way the outcomes of that inquiry. Members were brought up to date on the number of residential high-rise (more than 18m) properties in our constituent/local areas. Since the tragic incident the Service has been in contact with those responsible for the buildings also identifying 'clad' buildings and ensuring adequate fire safety is in place. The Chairman and CFO has written to all local authority leaders, MPs, Police and Crime Commissioners, Chief Executives and other key stakeholders as well as working nationally to ensure local strategy is aligned with national strategy. Any extra budget expenditure as a result of this tragedy will depend on the outcome of the inquiry into the fire.

17/33.5 **RESOLVED: The report was noted.**

17/34 Draft Community Safety Plan 2017

17/34.1 The Director of Corporate Services, Derek James presented this report giving context to the Community Safety Plan, which set out the Service's key priorities and explained the drivers that have been taken into account.

17/34.2 An additional priority "supporting and developing our people" is included in the Community Safety Plan. The plan is further underpinned by a comprehensive service delivery plan and this and the delivery arrangements were outlined at the meeting.

17/34.3 Members asked for the commentary associated with *Making every penny count* to be more sensitively worded. The amended draft to be circulated and presented to the Finance, Governance and Audit Committee on 7 July. Members approved the plan in principle, subject to wording amendments.

17/34.4 **RESOLVED: The report and the Community Safety Plan 2017-21 were approved in principle, subject to some final text changes to be approved by the Finance, Governance and Audit Committee on 7 July.**

17/34.5 **ACTION: Director of Corporate Services to amend wording for the *Making every penny count* priority and seek final approval on wording from the Finance, Governance and Audit Committee on 7 July.**

17/35 Policy Amendments

17/35.1 The Authority has a number of key policies to underpin its governance arrangements. In response to changing national frameworks and positive suggestions by specialist auditors, policy amendments were proposed to

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the Corporate Governance Policy and the Health and Safety Policy. These changes maintain the currency and effectiveness of our overall governance and assurance arrangements. These policy amendments will also support both the Statement of Assurance and Annual Governance Statement which will be considered by the Finance, Governance and Audit Committee at its meeting in September.

17/35.4 **RESOLVED: Members approved the amendments to the Corporate Governance and the Health and Safety policies.**

17/36 Date of Next Meeting

17/36.1 The Chairman confirmed the date of the next DWFR meeting as Friday 8 September 2017 at Dorset & Wiltshire Fire and Rescue Service Headquarters, Five Rivers Health and Wellbeing Centre, Hulse Rd, Salisbury SP1 3NR, from 10am.

Part 2

17/37 To consider closing the meeting to the press and public.

17/37.1 Members of the press and public were asked to leave the meeting.

17/37.2 Strategic Leadership Team, with the exception of the Chief Fire Officer, were also asked to leave the meeting.

17/37.3 **RESOLVED: the meeting was closed to the public and press in accordance with Section 100A (2 & 3) of the Local Government Act 1972, to exclude the press and public for the business specified below because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in Paragraphs 3 & 4 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public**

17/38 Strengthening the senior leadership team

17/38.1 The monitoring officer described how the Authority in its shadow form had agreed the structure of the Strategic Leadership Team (SLT) and the description of the Chief Fire Officer's current role. The structure of the SLT was agreed subject to review within two years. The report before Members represented that review.

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17/38.2 The Chief Fire Officer outlined his first six months in the role. He explained his reasoning for strengthening SLT and the improvements in organisational effectiveness this would bring. HR Advisor, Steve Mason then gave Members an overview of the proposed methodology for consultation and appointment.

17/38.3 **RESOLVED: Members approved the four recommendations and the resulting budget implications.**

The meeting closed at 12:35hrs.

Signed: _____

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Notes of Meeting

ONE SWINDON LEADERSHIP BOARD

TUESDAY 11 JULY 2017

Present: Councillors David Renard, Jim Grant and Mary Martin, John Gilbert, Mike Ash, Andy Evans, Trudy Godfrey, Cherry Jones, Nick Kemmett, Sam Mowbray, Mark Walker, Sue Wald and Lin Williams (Swindon Borough Council), Angus Macpherson (Police and Crime Commissioner), Craig Holden (Wiltshire Police), Gill May (Clinical Commissioning Group), Richard Hill (VAS), Ian Gardner (DWP), Ian Larrard (Business West) and Craig Baker (Dorset and Wiltshire Fire and Rescue).

7.	Welcome and introduction	ACTION
	Councillor David Renard, Chair of the One Swindon Board, welcomed everyone to the meeting.	
8.	One Public Estate	ACTION
	<p>Andy Evans, Corporate Director Economy, Regeneration and Skills, and Trudy Godfrey, Economy and Skills, Swindon Borough Council, gave a presentation about the 'One Public Estate'.</p> <p>Mr Evans explained that the 'One Public Estate' was a national programme managed by the Cabinet Office and Local Government Association. The key driver is for public agencies within geographically defined areas to work together on their collective estate to:</p> <ul style="list-style-type: none"> • Create economic growth • Encourage better integrated and customer focused services • Generate capital receipts; and • Reduce running costs <p>The Board were reminded the Swindon had successfully secured £375,000 in 2016 under Round 5 to accelerate the delivery of new homes, jobs, capital receipts and inward investment across the railway station and Carriage Works.</p> <p>Mr Evans reported on Round 6 funding and suggested the following two opportunities for potential development:</p> <ul style="list-style-type: none"> • Accelerating housing delivery within the town centre for key workers using modern methods of construction; and • Creating a public service hub at Kimmerfields with a broad 	

	<p>range of public service partners.</p> <p>The Board indicated its support for the concept of a public services hub and the One Public Estate bid, however it did not allocate a sponsor to help with the project management aspects of the public services hub.</p> <p>The Board noted the presentation and asked for Board members to contact Mr Evans if they were interested in becoming involved in the public service hub.</p>	Trudy Godfrey / One Board Members
9.	Criteria For Funding Bids	ACTION
	<p>Sam Mowbray, Head of People, Performance and Engagement, gave a presentation about changes to the criteria for funding bids to One Swindon.</p> <p>The Board were advised that the One Swindon Fund currently held £100,000 for revenue bids, however this figure would obviously decrease with each new bid. It was suggested that future bids should include evidence based descriptions of how the proposal would improve outcomes for Swindon residents, clear evidence that it would contribute to generate savings/reduce demand on partner's services and have clear plans for sustainability beyond the initial funding period.</p> <p>The Board noted the presentation and approved the change in criteria for funding bids to One Swindon.</p>	Carmel Burton
10.	Cell Intervention Worker	ACTION
	<p>The Board received an update on the Cell Intervention Worker.</p> <p>The recent application for One Swindon funding for the 2 year Cell Intervention substance misuse arrest referral scheme has been agreed by the One Swindon Board. The post holder will be employed and directly line managed by the Change, Grow, Live (CGL) Criminal Justice lead offering advice and delivering brief interventions to all substance-misusing offenders who are willing to engage, detained in Gable Cross custody suite in Swindon. The Board noted the update.</p>	
11.	Progress Report from the Rough Sleeping Working Party	ACTION
	Nick Kemmett, Homeless Operations Manager and Mark Walker, Community Programme Lead, Town Centre, Swindon Borough Council, gave an update presentation from the Rough Sleeping Working Party.	

	<p>The Board were advised of an event held at the Civic Offices in May 2017 for community volunteers. The outcome of the event was to establish a new umbrella organisation to enable all interested parties to work closer together to combat rough sleeping and homelessness in Swindon.</p> <p>Mr Kemmett highlighted a number of matters that were raised at the event, including:</p> <ul style="list-style-type: none"> • The need for a day centre/hub, providing a single central place for the homeless. • A better understanding of the provision in place, in order to identify gaps and duplication. • Improved co-operation, collaboration and communication. • Improved mental health provision. • Adopt a Housing First Model. • Joint funding of an Assertive Outreach Service <p>Following the presentation, Board members discussed the matters raised, including:</p> <ul style="list-style-type: none"> • Day centre income streams to cover revenue costs. • Explanation of a Housing First Model. • Engaging with rough sleepers at the appropriate times to provide maximum support. • The need for organisations to buy into and support the day centre proposal. • Location of a potential facility. • The development of the proposal for the Board to consider at a future meeting. • The support needed to bring rough sleepers back into homes. <p>The Board noted the presentation and asked for officers to develop the proposals for a Housing First Model for the next meeting of the Board.</p>	Nick Kemmett/ Mark Walker
12.	Exploring the Issues around Domestic Abuse	ACTION
	<p>Mike Ash, Head of Housing Management and Community Safety and Lin Williams, Housing Management and Community Safety, Swindon Borough Council, gave an update on domestic abuse issues.</p> <p>Ms Williams commented on (i) the challenges currently facing Swindon in relation to domestic abuse, (ii) the support being provided for victims, perpetrator programmes and the training and</p>	

	<p>awareness available, and (iii) the barriers to reporting, challenging behaviour, data collection and crime recording.</p> <p>The Board were asked to consider and explore the following areas:</p> <ul style="list-style-type: none"> • Promote partnership working to reduce the number of repeat incidents. • Promote proactive working to identify and encourage/sanction perpetrators to change behaviours. • Improve communication on how to access support and choices of services for victims of domestic abuse and ensure key points are Swindon wide and are consistent across all partners. • To raise awareness of domestic abuse and other abusive activity to children and young people to break the cycle. • Support for children and young people who are affected by domestic abuse either as witnesses or within their own relationship. <p>Following the presentation, Board members discussed the matters raised, including:</p> <ul style="list-style-type: none"> • The potential for gender bias during domestic abuse reviews. • The need for standardised training for all 25 doctor practices in Swindon. • Challenging domestic abuse behaviours and improving processes to support earlier resolutions. • The role of the Domestic Abuse Board. • Agencies taking responsibility to improve communication. • Awareness of domestic abuse issues through routine visits and the ability to provide feedback to appropriate agencies. • Importance of Safeguarding training in protecting the vulnerable. • Increase in referrals to the Police from other agencies. • Improvements to reporting processes from educational establishments. • The work of the Family Contact Point in providing a rapid and effective service in response to new safeguarding fears, where there is a concern about the welfare or well-being of a child or young person. • The help and support available to children and young people who witness domestic violence within a family setting. • Raising awareness and building confidence in people to report domestic abuse concerns. • Excellent engagement at a senior level from partners on the Domestic Abuse Board. <p>Mr Ash advised that the Domestic Abuse Strategy was being</p>	
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	<p>revised during the next 12 months and confirmed that partners would be kept up to date on the progress being made.</p> <p>The Board noted the presentation and asked for an update on the Domestic Abuse Strategy early in 2018.</p>	Mike Ash
13.	Close and Next Steps	Action
	<p>Councillor David Renard, Chair of the One Swindon Board, thanked everyone for attending the meeting and for their contributions during the discussions. He summed up the requests for further information detailed above at each item.</p>	

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