

## **SCRUTINY COMMITTEE**

**MONDAY, 23 MARCH 2015**

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

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

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

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

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

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

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

### **60. Declarations of Interest**

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

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

### **61. Public Question Time**

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

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

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

**62. Minutes**

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

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

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

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

Councillor Colin Lovell to replace Councillor Toby Elliott.

**64. Consideration of Cabinet Decisions**

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

*72. Superfast Broadband Extension Programme*

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

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

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

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

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

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

Resolved - That Minute 73 of the Cabinet be noted.

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

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

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

Resolved - That Minute 74 of the Cabinet be noted.

*75. Housing Revenue Account Medium Term Financial Plan*

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

Resolved - That Minute 75 of the Cabinet be noted.

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

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

Resolved - That Minute 76 of the Cabinet be noted.

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

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

Resolved - That Minute 77 of the Cabinet be noted.

*78. School Admission Arrangements 2016/17*

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

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

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

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

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

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

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

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

Resolved - That Minute 79 of the Cabinet be noted.

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

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

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

Resolved - That Minute 80 of the Cabinet be noted.

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

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

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

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

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

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

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