



SWINDON BOROUGH COUNCIL

Municipal Year 2019/20

Meeting of Council on Thursday, 11 July 2019

ITEM - MINUTES OF OTHER COUNCIL BODIES

SECTION 1 - SPECIAL, AUDIT AND STANDARDS COMMITTEES

1. Minutes of meeting Monday, 21 January 2019 of Standards Committee (Pages 5 - 8)
2. Minutes of meeting Tuesday, 19 March 2019 of Audit Committee (Pages 9 - 14)
3. Minutes of meeting Tuesday, 18 June 2019 of Audit Committee (Pages 15 - 18)

SECTION 2 - OVERVIEW AND SCRUTINY COMMITTEES

4. Minutes of meeting Monday, 25 March 2019 of Scrutiny Committee (Pages 21 - 28)
5. Minutes of meeting Monday, 10 June 2019 of Scrutiny Committee (Pages 29 - 34)
6. Minutes of meeting Tuesday, 5 March 2019 of Adults' Health, Adults' Care and Housing Overview and Scrutiny Committee (Pages 35 - 40)
7. Minutes of meeting Wednesday, 13 March 2019 of Children's Health, Social Care and Education Overview and Scrutiny Committee (Pages 41 - 46)

8. Minutes of meeting Wednesday, 27 March 2019 of Growing the Economy Overview and Scrutiny Committee (Pages 47 - 50)
9. Minutes of meeting Monday, 17 June 2019 of Resources and Corporate Overview and Scrutiny Committee (Pages 51 - 54)

SECTION 3 - REGULATORY COMMITTEES

10. Minutes of meeting Friday, 17 May 2019 of Appeals Committee (Pages 57 - 58)
11. Minutes of meeting Thursday, 6 June 2019 of Education Transport Appeals Sub-Committee (Pages 59 - 60)
12. Minutes of meeting Friday, 17 May 2019 of Appointments Committee (Pages 61 - 62)
13. Minutes of meeting Tuesday, 12 February 2019 of Planning Committee (Pages 63 - 72)
14. Minutes of meeting Tuesday, 9 April 2019 of Planning Committee (Pages 73 - 84)
15. Minutes of meeting Tuesday, 11 June 2019 of Planning Committee (Pages 85 - 104)
16. Minutes of meeting Thursday, 14 March 2019 of Licensing Committee (Pages 105 - 106)
17. Minutes of meeting Friday, 17 May 2019 of Licensing Committee (Pages 107 - 108)
18. Minutes of meeting Thursday, 13 June 2019 of Licensing Committee (Pages 109 - 110)
19. Minutes of meeting Monday, 1 April 2019 of Licensing Panel (Pages 111 - 114)

SECTION 4 - CHILDREN SERVICES BODIES

20. Minutes of meeting Tuesday, 26 March 2019 of Standing Advisory Council on Religious Education (Pages 117 - 122)

SECTION 5 - POLICE AND FIRE AUTHORITIES

21. Minutes of meeting Thursday, 28 March 2019 of Wiltshire Police and Crime Panel (Pages 125 - 130)
22. Minutes of meeting Wednesday, 3 April 2019 of Town Twinning Network (Pages 131 - 132)

Section 1

Special, Audit and Standards Committee Minutes

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STANDARDS COMMITTEE

MONDAY, 21 JANUARY 2019

PRESENT:- Councillor Teresa Page (Chair), Councillor Vera Tomlinson (Vice-Chair), Councillor Stephanie Exell, Councillor Fionuala Foley, Councillor Janine Howarth, Councillor Steve Weisinger, Councillor Caryl Sydney-Smith (Deputy), Mr Trevor Davies, Mick Compton, Richard Hailstone and Mr Paul Morris.

Apologies for absence were received from Councillor Jane Milner-Barry and Mr Keith Strickland.

10. Declarations of Interest

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

11. Minutes

Resolved – That the minutes of the meeting held on 2nd July 2018 be confirmed and signed as a correct record.

12. Public Question Time

There were no public questions.

13. 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 items listed below on the grounds that it involves 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>
8	1 and 2	16

14. Question and Answer Session - Leader of the Council and Chief Executive

The Chair advised the meeting that, due to unforeseen personal circumstances, the Chief Executive was unable to attend the meeting.

Councillor David Renard, the Leader of the Council, advised the meeting of his view that standards issues within the Council continued to be well monitored under the auspices of the Standards Committee and the Monitoring Officer, that effectiveness being evidenced in the fact of only a single code of conduct complaint being submitted during 2018/19.

Members were given the opportunity to put questions to the Leader.

In response to a questions put by Mr Hailstone and Councillor Fionuala Foley, the Council's Acting Director of Law and Monitoring Officer advised the meeting of the arrangements in place to provide Monitoring Officer cover for the Authority, until such a time as a new Chief Legal Officer (Monitoring Officer) is appointed. At the request of members, he also expanded on the changed role of that officer from that of the former post of Director of Law and Democratic Services.

In response to questions and observations put by Councillors Janine Haworth and Steve Weisinger, regarding the Council's induction training for new members, the Leader confirmed his own wish that training programmes, including the induction training programme, should be enhanced to best meet the requirements of members. He agreed that the members' suggestions of more information being provided in relation to the Council's governance arrangements and the layout of the civic campus would be appropriate additions to the training and development programme, to be compiled in the next few weeks.

Resolved – That the Leader of the Council be thanked for attending the meeting and for his full and open responses to members questions on matters relating to the Council's ethical governance framework and issues of probity.

15. 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
- Summary of Code of Conduct Complaints
- Member Training
- Consideration of any recommended updates to Codes and Protocols
- Update to the Council's Ethical Audit Self-Assessment
- Changes to Chief Executive Reporting Structure
- Council subscription to 'Protect' (formerly 'Public Concern at Work')

The Chair and officers present responded to questions put by Councillors Vera Tomlinson, Fionuala Foley, Steve Weisinger and Steph Exell and Mr Richard Hailstone regarding:

- The reasons for the significant increases in the number of Code of Complaints received in 2017/18, as detailed in the schedule included in the report.
- The Council's guidelines for the granting of dispensations to members in dealing with matters of Council Tax and whether these guidelines can be applied to Parish Councillors.
- The Council's Whistleblowing Policy and the renewal of the Council's subscription to the Public Concern at Work Helpline (now known as 'Protect') to provide a formal method of confidential reporting for staff who do not feel able to raise issues directly with the Council.
- The Council's Learning and Development programme for its Councillors and the position regarding the attendance at training events by Parish

Councillors.

- The Council's "Members Planning Code of Good Practice" and, more specifically, the arrangements for Parish Council representatives to address the Planning Committee on individual planning applications.

Resolved – (1) That the Ethical Framework update be noted, including dispensations granted to members of the Borough Council, the Summary of Code of Conduct complaints, the latest position regarding member training and development within the Borough, and the changes to the Chief Executive Reporting Structure.

(2) That, in light of submissions received following consultation, the Committee determines that, subject to the issue set out in (3) below, the Council's various Codes and Protocols remain fit for purpose and do not require to be amended at this time.

(3) That, with regard to members' comments responding to the concerns expressed by some Parish Councils about their role at Planning Committee meetings as statutory consultees, the Corporate Governance Review Working Group, or other appropriate consultation forum, be asked to consider the Council's Planning Protocol and whether this should be revised to clarify the role of Parish Council representatives attending Planning Committee to present Parish considerations and the nature and extent of those representatives' opportunity to address the Committee on issues of concern in furtherance of the planning decision making process.

(4) That the Ethical Audit Desktop Analysis, attached at Appendix 2 to the report, be endorsed.

(5) That the Council's subscription to the 'Protect' service be continued.

(6) That the list of training events annexed to the report be amended to reflect the number of training courses, particularly relating to decision making and governance, that were necessarily cancelled due to the absence of the Director of Law and Democratic Services through ill health.

16. 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.

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AUDIT COMMITTEE

TUESDAY, 19 MARCH 2019

PRESENT:- Councillors Steve Weisinger (Chair), John Ballman, Nick Martin (Vice-Chair), Des Moffatt, Roger Smith and Rahul Tarar.

An apology for absence was received from Councillor Kevin Small.

50. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. Councillor Steve Weisinger made a prejudicial declaration of interest in respect of Agenda Item 7 his capacity as director of the Swindon Housing Company.

51. Public Question Time

No public questions were received during the meeting.

52. Minutes

Resolved - That the minutes of the meeting held on 5th February 2019, be confirmed and signed.

53. Accounting Policies and Accounts Update 2018/19

The Director of Finance submitted a report updating the Committee in respect of financial reporting changes affecting the Council's Annual Statement of Accounts to ensure compliance with accounting standards adopted by the Accounting Code of Practice that the Council is required to follow.

Following the introduction of the report the Director of Finance answered questions in respect of:

- Changes to standards relating to Financial Instruments and changes to Council policies to reflect these.
- The potential effect of changes to the valuation of land leases agreed with Parish Councils.
- Potential changes to how assets transferred to Parish Council's would be treated under the new regulations.

Resolved – (1) That the report be noted.

(2) That the changes to the Authority's Accounting Policies be approved.

54. Corporate Risk Management Update

The Committee received a joint report of the Cabinet Member for Corporate and Customer Services and Chief Executive setting out a summary of the Council's risk management activity and the updated Corporate Risk Register.

Following a presentation of the report Carmel Burton, Corporate Planning

Lead Resources and answered Member's questions in respect of:

- The focus on identifying risks to the Council and actions to mitigate those risks and progress made against individual risks identified.
- The move from categorising risk levels to seeking remedial actions to mitigate all risk which is deemed to be equal.
- The inclusion of audit actions into performance management and reporting high priority audit actions to the Council's Corporate Management Team which was responsible for the oversight of risk management.
- Mitigation in the form of financial management and savings proposals to meet risks relating to the Council's Medium Term Financial Plan and how these might be affected by unknown risks associated with the Council's funding.
- The empowerment of communities to manage service levels and future demand and the evolution of Parish Council's in service provision.
- Market risks to the Council's ability to grow the local economy and business rates supporting the Council's future financial position.
- The loss of European Union funding to the Wiltshire and Swindon Local Enterprise Partnership.
- Forthcoming upgrades to the telephony network to improve the ability of residents to contact the Council.
- Reputational and financial risks associated with the Council's Safeguarding work, including Out of Borough placements.
- Business continuity and Information Technology disaster recovery processes and protocols.
- Preventative work to manage current and future service demand and to allow people to live quality lives within their home environment.

Resolved – (1) That the risk management approach, processes and risks captured by the Corporate Risk Register be endorsed.

(2) That Carmel Burton be thanked for her work on behalf of the Council and this Committee and the Committee's best wishes for her retirement be recorded.

55. Internal Audit Report - Swindon Housing Company

Following a Declaration of Interest by the Chair, Councillor Steve Weisinger, Councillor Nick Martin took the Chair during the discussion of this item.

The Committee received a report on the outcome and key findings of the Internal Audit Review of Services to Parishes. It was noted that this audit emerged from the creation of the Swindon Housing Company by the Cabinet in June 2017.

The Head of Internal Audit noted the report arose from a request from the Corporate Director of Communities and Housing to provide assurance in the set-up of the company and progress made to date, to review the company against recognised good practice and against established Municipal Housing Companies which had been trading for a number of years.

Steve Jorden, Corporate Director of Communities and Housing, and Adam Gatier, Commercial Development Project Manager, gave a brief presentation on the relationship between Swindon Borough Council and Parish Councils and services provided.

The Committee discussed the following issues arising from officer presentations:

- That difficulties in setting up the company and delivering developments was not unusual when considering the establishment of other like Municipal Housing Companies.
- Officers and Members had made considerable efforts to establish the company as a successful trading entity.
- The original timescales for establishing the company and it to return a significant profit in the original business case had been very ambitious.
- The Euclid Street development had shown some of the benefits that the company could return.
- The recommendation of the Audit Report that the company pauses to reflect upon the last year of operation and issues relating to the purpose of the company, its business plan, its commercial principles of operation, its governance, the Council's role in supporting and enabling the company and how the Council can work with it to accelerate the delivery of schemes.
- The potential conflict in interest in delivering best value from a joint Council and company perspective, for instance in the transfer of land and the mechanism for determining land valuations
- The value of potential land transfers before and after the grant of planning permission and the stage at which any financial return to the Council constituted revenue or capital returns.
- Financial returns to the Council should land transferred to Swindon Housing Company be sold or transferred to a third party, especially should the Housing Company sell it following it obtaining planning permission.
- The role of the Swindon Housing Company as a commercial entity and how this might conflict the Council's desire for the provision of good quality, sustainable social housing and whether marrying these objectives would mean that the Swindon Housing Company did not always aim to maximise its financial returns.
- That several sites identified by the Swindon housing Company for development were not necessarily "traditional housing sites".
- That currently the Swindon Housing Company was developing sites it had acquired rather than selling them to a third party.
- The two broad work streams of the Swindon Housing Company, the first to develop and sell properties themselves and the second was the sale of land following the receipt of planning permission which was currently not being pursued at this time.
- Whether the issues faced by the Swindon Housing Company had been experienced by other Municipal companies and whether these were being addressed differently.
- Work by the Swindon Housing Company to address Health and Safety and other fundamental issues facing the company and measures, including training, to resolve these and timescales involved.
- The legal liability of the named Directors of the company and how this affected the Council and Councillors.
- The financial returns to the Council for money transferred to the Swindon Housing Company.
- Remuneration for the Chair and staff of the Swindon Housing Company.

Resolved – (1) That the report be noted and officers be thanked for their

presentations and comprehensive response to issues raised by Members.

(2) That the recommendations of the report and in particular those relating to risk areas and opinion as set out on page 63 of the agenda papers be noted.

(Councillor Steve Weisinger made a prejudicial declaration of interest in respect of this item, his capacity as a Director of the Swindon Housing Company, and left the room during the discussion of this item.)

56. Internal Audit Plan 2019/20

The Head of Internal Audit submitted a report setting out the draft Audit Annual Plan for 2019/20 and highlighted the process for drawing up the items identified within the draft plan and in identifying the priorities for the submission of reports to the Committee during the forthcoming Municipal Year.

The Committee discussed the work programme and the potential for the Council's Internal Audit team to undertake work for Parish Councils within the Borough and Schools located within the Borough, noting the knock-on effect any such work might have on the proposed draft Audit Annual Plan.

Resolved – (1) That the draft Internal Audit Plan for 2019/20 be approved.

(Councillor Roger Smith made a non-prejudicial declaration of interest in respect of his item due to his role as a Stratton St. Margaret Parish Councillor.)

57. Audit Progress Report and Sector Update

Barrie Morris (Grant Thornton) presented a report advising the Committee that the External Auditors' had commenced work in respect of its (i) interim audit work, (ii) the Value for Money assessment, (iii) the certification of claims and returns, (iv) preliminary work with Council officers regarding the overall approach to the audit for the coming year, and (v) training with Council Officers for Final accounts.

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

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

58. External Audit Commitment

Barrie Morris (Grant Thornton) presented a report advising the Committee of the scope of the work to be undertaken by the External Auditors during the forthcoming Municipal Year and setting out how work with other Local Authorities would help ensure audit reports remained fair and balanced.

Resolved – That the report an oral update be noted.

59. Head of External Audit Update

The Committee received a report of the Head of Internal Audit summarising the main issues arising from the Internal Audit reports finalised since the last Audit Committee meeting in February 2019, and progress made against the Annual Internal Audit Plan 2018/19. He noted that around 85% of the work identified in the plan had been completed and updated Members in respect of the work of Corporate Fraud Team, including (i) a recent prosecution for housing related fraud, (ii) the nominal savings achieved by the team, and (iii) how savings to the Council were calculated.

Resolved – That the report be noted.

60.

Vote of Thanks

The Chair recorded his appreciation to the Head of Internal Audit and his team, the Director of Finance and his team, the Council's External Auditors, the Committee Officer and all members of the Audit Committee for their work during the year.

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AUDIT COMMITTEE

TUESDAY, 18 JUNE 2019

PRESENT:- Councillors Steve Weisinger (Chair), Nick Martin (Vice-Chair), Malcolm Davies, Roger Smith, Claire Crilly, Des Moffatt 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. No declarations were made.

2. Public Question Time

No public questions were received during the meeting.

3. Minutes

Resolved – That the minutes of the meeting held on 19th March 2019, be confirmed and signed as a correct record.

4. Treasury Management Performance 2018/19

The Committee considered (a) a joint report of the Cabinet Member for Finance and Director of Finance setting out the Council's Treasury Management Performance for 2018/19, and (b) an introduction by Mr Ian Burbage, Head of Finance (Technical).

Resolved – That the 2018/19 Treasury Management Performance, set out in paragraphs 3.1 to 3.21 of and the Prudential Indicators set out in Appendix 2 of the joint report be noted.

5. Internal Audit Report: OK4U

The Committee received a report on the outcome and key findings of the Internal Audit Review of the Council's OK4U run day care service which provides statutory services to adults with learning and physical disabilities.

The Operations Manager made a brief presentation to the Committee setting out work undertaken to date in responding to the findings of the audit report.

The Head of Internal Audit noted the report arose to provide the Director of Adults with assurance in respect of the risks associated with the service. The Head of Internal Audit introduced the reports key findings and recommendations of the audit and he and the Operations Manager responded to questions and comments from the Chair and Councillors Des Moffatt and Kevin Small on the following issues:

- New paperwork and the Service Improvement Plan implemented by management.
- The new arrangements in place for staff handling cash and for ensuring that cheques were paid into the bank in a timely manner.
- Plans to increase the use of electronic payments and to move to a primarily cashless service using "better" cards.
- The new timetable of activities available to service users.

- Staff training to ensure all relevant staff were aware of accounting codes and the effective recording of financial transactions.
- The outturn for the overall OK4U service budget for the 2018/19 Financial Year.
- The current budget projection for the current financial year.

Resolved – (1) That the report be noted and officers be thanked for their presentations and comprehensive response to issues raised by Members.
(2) That the Head of Internal Audit be requested to submit an update report, on progress in meeting the audit recommendations and service balance sheet, to this Committee in March 2020.

6. Audit Committee Annual Report 2018/19

The Chair introduced the Committee's Annual Report setting out the role of the Committee, saving made by the Council's Audit Team and the work it had undertaken during 2018/19.

Resolved – (1) That the report be noted.
(2) That Council Officers and Grant Thornton be thanked for their work on behalf of this Committee during the Municipal Year, 2018/19.

7. Head of Internal Audit Annual Report 2018/19

The Committee received the Head of Internal Audit's Annual Report for 2018/19. It was noted that it was a requirement of the Public Sector Internal Audit Standards that the Head of Internal Audit deliver an annual internal audit opinion and report that could be used by the organisation to inform its governance statement and that the annual internal audit opinion must conclude on the overall adequacy and effectiveness of the organisation. The Annual Report provided the Committee with assurance from the Head of Internal Audit regarding the work of the Internal Audit section and his opinion with regard to the Council's overall arrangements for internal control.

The Head of Internal Audit briefly summarised the work undertaken during the 2018/19 Municipal Year, including that of the Corporate Fraud Team which was attached to the report as Appendix 1, a summary of Internal Audits Dashboard attached as Appendix 2 to the report. He noted that an external assessment was carried out on a five year basis and that arrangements for the next external assessment would be commencing in the near future.

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 2018/19 were found to be satisfactory, resulting in an overall risk assessment to the Council as being 'moderate' be noted.

8. Letter to those charged with governance

The Head of Internal Audit submitted a report on the requirement of the External Auditor, as part of its audit of the Council's financial statements, and in order to comply with the International Standards (UK and Ireland) on Auditing, to make inquiries of both officers and the Audit Committee, as to their knowledge and

understanding of the following areas:

- Fraud
- Related Parties
- Going Concern
- Litigation and Claims
- Accounting estimates; and
- Laws and Regulations

The Committee was invited to consider whether the responses submitted by the Council's officers and members, and by the Chair on behalf of the Audit Committee, set out in Appendix 1 to the report, were consistent with its understanding and whether there were any additional points Members wished to make. Members discussed the benefits of them responding directly to a plain English questionnaire.

Resolved – That the responses by officers and the Chair of this Committee to the various questions put by the External Auditors in relation to the specified risk areas identified in the report be confirmed as being consistent with this Committee's understanding of the position.

9. Draft Annual Governance Statement

The Head of Internal Audit submitted a report providing the Committee with details of the draft Annual Governance Statement 2018/19, setting out the Council's governance arrangements, including regular monitoring by the Council's Corporate Management Team, and providing an assessment of the performance of those arrangements and their effectiveness over the year in accordance with the Accounts and Audit Regulations 2015.

The Head of Internal Audit also drew Members' attention to (a) Children's Services, (b) Information Governance and Security, and (c) GCSE attainment, which required further progress before they could be taken off the statement. However, the Annual Governance was considered satisfactory in the whole. Members' noted that the Council's ability to influence GCSE results was limited by the increasing number of academy schools within the Borough.

Resolved – (1) That the draft Annual Governance Statement 2018/19, appended to the report, be approved.

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

(3) That the Cabinet Member for Finance, Education and Skills and Head of Education be advised of this Committee's concerns that the Local Education Authority's ability to influence GCSE results continues to be limited due to the increasing number of grant maintained schools within the Borough.

10. External Audit Progress Report and Sector Update

Steve Johnson (Grant Thornton) presented a report advising the Committee of the External Auditors' progress, as at 31st May 2019, in respect of the delivery of their audit responsibilities. External Auditors would commence work with the Council's Finance Team from Monday 24th June 2019 following interim work on controls with the Council and planning for the external audits and current work on auditing the

Council's Information Technology systems. Work was on schedule to report on the External Audit to the Committee's July meeting and for providing the audit opinion by 31st July 2019.

He confirmed that 2018/19 certification in relation to the Teacher's Pension Return, the homes and Community Agency Return, the Capital Receipts Return and Housing Benefit Subsidy claim would commence, in accordance with Government Guidance during the summer.

The update report also included a summary of key emerging national issues and developments that might be of interest to the Committee, including, (a) Pressures on Children's Social Care identified by the National Audit Office, and (b) the Chartered Institute of Public Finance and Accountancy Social Care risk tool.

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

11. Head of Internal Audit Update

The Committee received a report of the Head of Internal Audit summarising the main issues arising from the Internal Audit reports finalised since the last Audit Committee meeting in March 2019, and progress made against the Annual Internal Audit Plan 2019/20. He drew Members' attention to (a) the work of the Corporate Fraud Team and the nominal and actual savings made to date, and (b) Internal Audits on (i) Fuel, (ii) Payroll Mileage and Expenses, (iii) Public Health Grant Return, (iv) Recording Child Protection Conferences, (v) Financial Assessment and Benefits, (vi) Commissioning, Contracts and Brokerage: Domiciliary Care (Adults Social Care), (vii) Troubled Families Claim April/May 2019, (viii) Payroll Additional Payments – Homeline, (ix) Avon and Wiltshire Partnership Trust (x) Disabled Facilities Grant (Additional work), (xi) Even Swindon Primary School, (xii) Main Accounting, and (xiii) Consultancy Review: Co-operative Intelligent Transport Systems (C-ITS) Project, finalised since the March meeting of the Committee.

Resolved - That the report of Head of Audit be noted.

Section 2

Overview and Scrutiny Committee Minutes

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SCRUTINY COMMITTEE

MONDAY, 25 MARCH 2019

PRESENT:- Councillors Robert Wright (Chair), Emma Faramarzi (Vice-Chair), Emma Bushell, Fionuala Foley, Brian Mattock, Des Moffatt, Barbara Parry, James Robbins, Timothy Swinyard, Steve Weisinger and Caryl Sydney-Smith.

Also in attendance were: Councillor David Renard (Leader of the Council), Councillor Russell Holland (Deputy Leader of the Council and Cabinet Member for Finance), Councillor Dale Heenan (Cabinet Member for the Town Centre), Councillor Cathy Martyn (Cabinet Member for Housing and Public Safety), Councillor Maureen Penny (Cabinet Member for Highways and the Environment), Councillor Gary Sumner (Cabinet Member for Strategic Planning) and Councillor Oliver Donachie (Cabinet Member for Economic Prosperity).

Apologies for absence were received from Councillors Jane Milner-Barry and Vera Tomlinson.

68. 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 Brian Mattock made personal, non-prejudicial declarations of interest in respect of:
 - Agenda item 5 (Consideration of Cabinet Decisions) as a Borough Council appointed Trustee of the Swindon Museum and Art Gallery Trust.
 - Agenda item 6 (Cabinet Member Question and Answer Session – Cabinet Member for Finance) as a Director of the Housing Company.
- Councillor Emma Bushell made a personal, non-prejudicial declaration of interest in respect of agenda item 5 (Consideration of Cabinet Decisions) as a Swindon Town Football Club Season Ticket holder, and also as an owner of a share in Swindon Town Community Mutual Ltd (Trust STFC).
- Councillor Tim Swinyard made personal, non-prejudicial declarations of interest in respect of:
 - Agenda item 5 (Consideration of Cabinet Decisions) as a Swindon Town Football Club Season Ticket holder.
 - Agenda item 7 (Cabinet Member Question and Answer Session – Cabinet Member for Highways and the Environment) as he is employed at Nationwide.
- Councillor Steve Weisinger made a personal, non-prejudicial declaration of interest in respect of agenda item 6 (Cabinet Member Question and Answer Session – Cabinet Member for Finance) as a Director of the Housing Company.

Councillor Bob Wright made a personal, non-prejudicial declaration of interest in respect of agenda item 7 (Cabinet Member Question and Answer Session – Cabinet Member for Highways and the Environment) as his son is employed at Vets for Pets.

69. Minutes

Resolved – That the minutes of the meeting held on 11th February 2019 be confirmed and signed as a correct record.

70. Public Question Time

Mr Roy Worman, a Haydon Wick resident, referred to the annual road safety review conducted by the Borough Council which considers data from the Police on injury collisions, and asked whether it is possible for the public to access this data and if it could be broken down to a parish level.

The Chair advised that a written answer would be provided in accordance with the Public Question Time Protocol.

Mr Worman asked a question regarding the plans to communicate with residents on extra funding for rural bus routes.

Councillor Maureen Penny, Cabinet Member for Highways and the Environment, responded at the meeting.

Mr Worman asked a further question regarding the Council's application for £25m funding through the Future High Streets Fund for the Bus Boulevard public transport interchange at Fleming Way, Kimmerfields.

Councillor Dale Heenan, Cabinet Member for the Town Centre, responded at the meeting.

71. Consideration of Cabinet Decisions

The Committee considered a report introducing decisions arising from the Cabinet meeting held on 20th March 2019.

Item Number 70. Budget Management Update

Resolved – That Minute 70 of the Cabinet be noted.

Item Number 71. Capital Monitoring Quarter 3 2018/19

Resolved – That Minute 71 of the Cabinet be noted.

Item Number 72. Swindon's Art and Museum collections and cultural provision

Councillor David Renard (Leader of the Council), Councillor Oliver Donachie (Cabinet Member for Economic Prosperity) and Councillor Heenan responded to questions put by Councillor Des Moffatt and the Chair on the following matters:

- The work undertaken on comparing the benefits to Swindon, and the effect on footfall, from relocating the Museum.
- The £250k grant funding from the Local Enterprise Partnership, specifically allocated for developing the business case for this project.

Resolved – That Minute 72 of the Cabinet be noted.

Item Number 73. Swindon Local Transport Plan Implementation Plan 2019/20

Councillor Penny responded to questions put by Councillor Des Moffatt and the Chair on the following matters:

- The criteria used when selecting which roads will receive resurfacing treatment, with the list of works being recommended by officers to the Cabinet Member for decision.
- The extra issues considered when heavy wear has caused problems to the sub-strata of a road which regular patching does not repair.

Resolved – That Minute 73 of the Cabinet be noted.

Item Number 74. Air Quality Management Area Declaration

Councillor Cathy Martyn (Cabinet Member for Housing and Public Safety) responded to questions put by Councillor Des Moffatt and the Chair on the following matters:

- The improvement seen in the air quality on Cheney Manor Road / Rodbourne Road from the regular checks undertaken.
- Whether policies to improve air quality inadvertently displaces the problem, and measures taken to mitigate this.
- The difficulties in understanding the impact of air pollution on health deterioration.

Resolved – That Minute 74 of the Cabinet be noted.

Item Number 75. The Bus Boulevard at Fleming Way. Bid to the Future High Street Fund

Councillor Heenan responded to questions put by Councillors Emma Bushell, Des Moffatt and the Chair on the following matters:

- The removal of an enclosed bus shelter from the proposals, and when this amendment took place.
- Proposals to address issues on the roundabout at Whale Bridge.
- The allocation of land within the proposals to assist the future establishment of a café / restaurant and public toilets on site.

Resolved – That Minute 75 of the Cabinet be noted.

Item Number 76. Swindon Borough Local Development Scheme Review 2019

Councillor Gary Sumner (Cabinet Member for Strategic Planning and Sustainability) and Councillor Donachie responded to questions put by Councillor Des Moffatt and the Chair on the following matters:

- The plans for cross party involvement and participation in the review, and for an economic evaluation of the Scheme.
- The economic importance of setting aside the correct land for specific purposes in the future, particularly with the proposed reduction in government funding.

Resolved – That Minute 76 of the Cabinet be noted.

Item Number 77. References from Other Council Bodies - Health and Wellbeing Board

The Committee noted that the resolution of this Minute had been amended to read as:

Resolved – That the recommendations of the Health and Wellbeing Board, at its meeting on 13th March 2019, that (a) the proposed multi-agency safeguarding arrangements, set out in Appendix 1 to the report to the Board, be endorsed and (b) that Council be recommended to approve the establishment of a Swindon Safeguarding Partnership, with the Swindon Clinical Commissioning Group and Wiltshire Police.

Resolved – That Minute 77 of the Cabinet be noted.

Item Number 78. Proposed Sale of the County Ground Stadium, Central Swindon

The Leader of the Council responded to questions put by Councillor Jim Robbins and the Chair on the following matters:

- The timeline for the Trust to purchase the stadium, and secondary plans should it be unable to raise the full amount.
- The footprint of the land that is being sold.

Resolved – That Minute 78 of the Cabinet be noted.

72. Cabinet Member Question and Answer Session - Cabinet Member for Finance

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

- Annual Budget (Revenue and Capital Programme)
- Finance Management Overview
- Medium Term Financial Plan
- Procurement
- Revenue and Benefits Services
- Welfare and Benefits Policy
- Commercial Investment Fund

In overseeing these areas, the Cabinet Member for Finance is responsible for delivering the following Pledge from the Council's Vision:

- Pledge 17. Provide early support so that Swindon residents are financially included and avoid getting into debt.

Councillor Holland and Councillor Heenan responded to questions put by Councillors Emma Faramarzi, Brian Mattock, Des Moffatt, Jim Robbins, Tim Swinyard, and the Chair on the following matters:

- Reviewing when the Housing Company advertises properties as being for sale, to help achieve improvements in terms of the number of units delivered and the financial return from them.
- The expected organisation wide improvements in HR and Finance business processes as a result of the implementation of the new HR and Finance system.

- The systems in place to ensure that any potential sites identified by the Housing Company do not end up with a large volume of houses being developed at the same time.
- The number of care leavers in receipt of a council tax exemption, and the steps taken to ensure that all those who are entitled to it are receiving it.
- How the care leaver exemption to council tax is calculated when other exemptions already apply to a household, such as the single person discount.
- The targeted work on credit unions that the council has been undertaking, and the numbers of people who have joined a credit union as a result.
- The new retail relief scheme which will operate in 2019/2020 offering small and medium sized shops, cafes, restaurants and public houses a 33.3% reduction in their rates bills, subject to state aid limits, and what is being done to promote awareness of this scheme.
- The work being undertaken to achieve the same level of savings on budgets for children's services that have been achieved on the budgets for adults services.
- The net return on the four commercial properties which have been purchased in at a cost of £17m.
- Institutional obstructions that are preventing savings being achieved.
- The cuts in funding to local authorities to support welfare needs and those in crisis and how this may lead to more claims being received than the funding available, and the work being done by the Council to help those in crisis become more financially stable.

Resolved – (1) That Councillor Holland 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.

73. Cabinet Member Question and Answer Session - Cabinet Member for Highways and Environment

Councillor Penny, Cabinet Member for Highways and the Environment, was in attendance and presented to the Committee a report summarising progress and performance in respect of each of the following service areas within her portfolio of responsibility:

- Waterside Depot, including Household Waste and Recycling centre (but not PPS)
- Streetsmart
- Public Toilets
- Waste Disposal/Waste Minimisation
- Street Lighting
- Street Cleaning
- Recycling
- Refuse Collection-Domestic and Trade
- Ground and Tree Maintenance and Open Spaces
- Removal of graffiti and abandoned vehicles
- Parks (Streetsmart services only)
- Playgrounds
- Maintenance of Roundabouts and non-HRA verges

- Building Services, cleaning, catering and security services
- Gullies, drainage, minor road repairs and potholes
- Public Transport, Concessionary Fares, Specialist Transport, Council Transport and Fleet Management
- Traffic and Transport Forward Planning including Local Transport Plan and implementation
- Building community capacity
- Envirocrime

In overseeing these areas, the Cabinet Member for Highways and the Environment is responsible for delivering the following Priorities and Pledges of the Council's Vision:

- Pledge 3 (in part) Refresh and implement the Masterplan for Swindon Town Centre, supporting our vision that Swindon is a vibrant, modern place. We will do this through b) delivery of the bus boulevard, c) Delivering improvements to the strategic town centre transport network.
- Pledge 5. Enhance Wellington Street as a prime thoroughfare for the town.
- Pledge 13. Find new ways to engage communities and neighbourhoods to increase the cleanliness of their local areas.
- Pledge 14: Encourage Swindon residents to increase recycling and reduce their waste in line with the Council's Waste Strategy. Swindon Borough Council to reduce the use of single use plastics with the intention to stop using such plastics by 2019/20 and encourage local businesses to do the same.

Councillor Penny asked members to note that paragraph 4.3 of the report should read as 'The Streetworks Team received 6684 notices from utility providers and contractors between January and December 2018, and the team works hard to minimize these disruptions to the travelling public'.

Councillor Penny and Councillor Donachie responded to questions put by Councillors Emma Famarzi, Brian Mattock, Des Moffatt, Jim Robbins, Tim Swinyard and the Chair on the following matters:

- The sufficiency of the three week notice period given to employers in Swindon on planned roadworks.
- The ability of the Council to influence the timings of when other statutory bodies will undertake work across the road network in Swindon, to help minimise disruption to businesses and residents.
- The excellent service provided by officers during the difficult weather conditions experienced this year.
- The high number of missed green waste collections, and the plans to improve this service.
- Pressures on the call centre at peak times, such as when green waste subscription renewals are due, and how this could be managed more effectively.
- The traffic delays being experienced by residents in the Churchward estate trying to join the Great Western Way, and the plans for addressing this issue.
- The importance of building effective relationships with businesses in the railway village as part of the Heritage Zone proposals.
- How the Council will be looking at providing real time information on roadworks as part of its digital improvements.
- The success of the modern techniques used by the Council for repairing potholes, and improving the durability of those repairs.

- The ability of Parish Council's to fund highways work, should it be devolved.
- The proposals to reduce the number of fly tipping incidents, to increase the number of prosecutions, and to improve the publicity surrounding these to act as a deterrent.
- The proposals for replacing bus corridors in Swindon with junctions that prioritise buses.
- The effect of anti-social parking on bus timetables where vehicles have been unable to pass parked cars. The Council is currently reviewing its parking plan to help address these issues, and the possible use of cameras to prevent parking on bus stops was noted, along with the number of parking permits sold by the Council.

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

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

(3) That a review of plans to address anti-social parking in the Borough be suggested for inclusion on this Committee's Work Programme for the 2019/2020 Municipal Year.

74. Work Programme 2018/2019

The Committee considered a report of the Interim Director of Law setting out the topics for inclusion in the 2018/2019 Scrutiny Work Programme, as agreed by the Committee at its meeting on 18th June 2018, and updated during the course of the Municipal Year.

Resolved – That the Work Programme for 2018/19 be noted.

75. 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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SCRUTINY COMMITTEE

MONDAY, 10 JUNE 2019

PRESENT:- Councillors Robert Wright (Chair), Emma Faramarzi (Vice-Chair), Matthew Courtliff, Jim Grant, Nick Martin, Brian Mattock, Des Moffatt, Barbara Parry, Carol Shelley, Roger Smith and Caryl Sydney-Smith.

Also in attendance were: Councillor Russell Holland (Deputy Leader of the Council and Cabinet Member for Finance, Education and Skills), Councillor Mary Martin (Cabinet Member for Children's Services) and Councillor Keith Williams (Cabinet Member for Corporate Services and Operational Excellence).

Apologies for absence were received from: Councillors Steve Allsopp, Jane Milner-Barry, Timothy Swinyard and Vera Tomlinson.

1. Declarations of Interest

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

2. Minutes

Resolved – That the minutes of the meeting held on 25th March 2019 be confirmed and signed as a correct record.

3. Public Question Time

There were no questions submitted under this item.

4. Consideration of Cabinet Decisions

The Committee considered a report introducing decisions arising from the Cabinet meeting held on 5th June 2019.

Minute 6. Budget Management 2018/19

Councillor Russell Holland (Deputy Leader of the Council and Cabinet Member for Finance, Education and Skills) responded to questions put by Councillors Jim Grant, Des Moffatt and the Chair on the following matters:

- The ability of the Council to track the sale of capital receipts to determine what has raised funds for the delivery of future long term savings, in particular the costs of delivering projects within the Swindon Programme.
- How the one off VAT refund from HMRC of £3.015m related to charges for leisure services, and had not been included as part of the budget projections for last year due to uncertainty over when it would be received. The Committee noted that this contributed to the variance between the planned and actual cashflow reserves in Table 2 of the Cabinet report, and that the VAT receipt had covered 4 to 5 years' worth of recovery.
- How, in general, the predictive accuracy of the budgeting had been well managed, and that the budgets for children's and adults services always have

the biggest distortion due to the high levels of need and the unpredictability of demand.

- How the Council resolves conflict of interest between policies, with particular emphasis on expenditure on parking staff, new equipment for free parking and preventing vandalism in car parks, versus the green space agenda of promoting walking and cycling to reduce car use which results in less demand for car parking. The Committee noted that the Council's primary aim is to maximise income and balance the budget, and therefore the use of car parks would not be actively discouraged.
- How the total revenue from car parking did not fall, but that the income received was lower than projected, combined with an increase in service running costs.
- The effect on car parking revenue resulting from the broken equipment in Swindon's country parks.
- The progress on increasing the number of enforcement officers following the motion agreed at Council.
- How transport options can be hindered without enforcement on anti-social parking in some areas of Swindon, which become impassable for buses, and how resources have to be deployed for maximum benefit.
- How capital receipts are used to create fundamental change that achieves long term savings, with each case being determined on its own merit. The Committee noted that any projected savings would have to be greater than the proposed spend for a proposal to be deemed worthwhile.

Resolved – That Minute 6 of the Cabinet be noted.

Minute 7. Capital Programme Monitoring Out-Turn 2018/19

Councillor Holland responded to questions put by Councillors Jim Grant, Des Moffatt and the Chair on the following matters:

- The anticipated use of the £4.8m set aside in the Capital Programme for the Swindon Museum and Art Gallery, and the projected timescale for the project. The Committee noted that part of the capital for this project may be funded from borrowing, therefore if the £48m is not required in full it would result in less borrowing.
- That the Capital Budget Scheme for upgrading the footpaths in Wanborough will come under Section 106 rather than as a corporate project.
- How the future developments for the Rodbourne Lane area concerning traffic controls will move forward in the current financial year given the recent report from the Outlet Centre about the profitability of the site, and targets for reducing emission levels.
- The merit in using the acquisitions programme to take back council properties and avoid Bed & Breakfast costs.
- How the Council will fulfil its statutory requirements with regards to provision for the homeless given the reduction in the number of private landlords.

Resolved – (1) That Minute 7 of the Cabinet be noted.

(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.

Minute 8. Treasury Performance Management 2018/19

Councillor Holland responded to questions put by Councillors Jim Grant, Des Moffatt and the Chair on the following matters:

- The annual debt charges against the current long term General Fund debt of £210m, its impact on the revenue budget, and the plans to reduce this debt amount. The Committee noted that where borrowing is used for investment and yields income for the Council this will continue, along with the benefits of long term borrowing for infrastructure investment.
- How the £300m level of debt includes housing which is bound by a payment scheme. The Committee noted the relationship between the Housing Revenue Account (HRA) paying off that element of the debt and the General Fund (which took the debt on as a whole), that allows choices over how it can be managed.
- How the HRA debt contains a mix of loans that have differing terms and lengths, and which are monitored through treasury management. The Committee noted that if the HRA decides to take longer to pay its debts this would result in more interest being paid over the long term, but it would allow more investment in the short term.
- The warnings from the Local Government Association about investment in property, and how the Council assures itself that risk is being managed.
- That the ring fence for the HRA with regards to capital money remains intact, and that the General Fund taking on the debt allows the HRA flexibility on how it wishes to manage that debt.
- The pool rate (the average rate of interest the Council pays for all its loans), with the Committee noting that borrowing at the end of last year was low, with the overall rate having gone down from 3.34% to 3.25%.
- That the Council does not manage capital budgets on behalf of Parish Councils, Wiltshire Police and the Devon and Wiltshire Fire Service.

Resolved – (1) That Minute 8 of the Cabinet be noted.

Minute 9. Debt Management

Councillor Holland responded to questions put by Councillors Jim Grant, Des Moffatt and the Chair on the following matters:

- The definition used by the Council as to what constitutes a 'vulnerable' person and whether an inability to pay Council Tax is indicative of some form of vulnerability. The Committee noted the process and criteria used when a resident applies for help from the Emergency Assistance Fund.
- The problems being faced by the Citizen's Advice Bureau in receiving funding to provide its services effectively, and the subsequent effect this may have on residents seeking assistance from the Council.
- The effect of the rollout of Universal Credit on the increase in the number of Council Tax summonses and enforcement agents being used. The Committee noted that 3907 referrals to enforcement agents in 2018/2019 were 'repeat' referrals, where a debt was being passed to a second enforcement agent to collect, and that the actual number of households owing council tax debts referred to enforcement agents reduced from 4628 to 4449.
- How information from an application to the Emergency Assistance Fund is not captured as it is not data that can be reported against. The Committee were advised that notes are made but not categorised about a person's circumstances.

- The preventative work of the Swindon Social Enterprise Network (which the Council is not directly involved in) in aiming to stop people from becoming seriously at risk. It is a proactive initiative with a possible role for Parish Councils. The Committee were advised that where there are significant levels of social exclusion, improvements cannot be made overnight, and that the Council does not have the resources to help improve the situation on its own.

Resolved – That Minute 9 of the Cabinet be noted.

Minute 10. Financial Inclusion Policy

Councillor Holland responded to questions put by Councillor Jim Grant and the Chair on the following matters:

- The issues of ongoing pressures caused by the traditional service areas the Council has, and the lack of joined-up thinking this type of organisational structure can create.
- Concerns over the perceived tendency of organisations to focus on individuals rather than looking more broadly at the majority affected, and helping a community as a whole.
- How the financial inclusion policy will be promoted amongst Council employees, with Human Resources actively promoting it as part of the package offered to staff.

Resolved – That Minute 10 of the Cabinet be noted.

Minute 11. Councillors' Allowances 2020/21 – Recommendations of the Independent Remuneration Panel

Councillor Holland responded to questions put by Councillors Jim Grant, Nick Martin, Carol Shelley and the Chair on the following matters:

- The methodology used by the Independent Remuneration Panel in determining its recommendations.
- The absence of national criteria or guidance on the payment of allowances to local councillors.
- The recruitment and appointment of the Panel members by the Standards Committee.
- That the recommendation of the Panel to increase the Carer's Allowance should be positively received

Resolved – That Minute 11 of the Cabinet be noted.

The Committee resolved that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded during the discussion of Minute 12 of the Cabinet meeting held on 5th June 2019, on the grounds that it may involve 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.

Minute 12. Operational Management of Town Centre premises

Councillor Keith Williams (Cabinet Member for Corporate Services and Operational Excellence) responded to questions put by Councillors Emma Famarzi, Jim Grant,

Des Moffatt, Barbara Parry, Roger Smith and the Chair concerning the operational management of the town centre premises referred to in the restricted report considered by Cabinet on 5th June 2019.

Resolved – That Minute 12 of the Cabinet be noted.

5. Work Programme 2019/2020

The Committee considered a report of the Chief Legal Officer setting out potential topics for inclusion in the 2019/2020 Scrutiny Work Programme.

The Chair referred to the following areas that had been included in the draft Scrutiny Committee Work Programme for 2019/20:

- Averages Task Group Final Report
- Anti-social Parking
- Food Waste
- Collection and Disposal of Used Needles

Following discussion, the following amendments were agreed:

- That Councillor Russell Holland be invited to attend the meeting of this Committee on 21st October 2019 to report on the performance of the Education and Adult Learning Services aspect of his portfolio.
- That the proposed item on anti-social parking be broadened to review what is being done to address enforcement against anti-social issues including parking, Public Space Protection Orders in the town centre, and anti-social behaviour.
- That the Communities and Place Overview and Scrutiny Committee be invited to review the proposals for dealing with food waste in the Borough as part of its Work Programme for 2019/2020.
- That the Adults' Health, Adults' Care and Housing Overview and Scrutiny Committee be invited to review proposals for dealing with the collection and disposal of used needles as part of its Work Programme for 2019/2020.
- That the following matters be reviewed by the Chief Executive and Corporate Management Team before being added to a Work Programme as follows:
 - Review of the long-term leases for six of Swindon's leisure facilities, run by GLL, to be referred to the Resources and Corporate Overview and Scrutiny Committee.
 - Review of how the Council uses its procurement budget locally, to be referred to Resources and Corporate Overview and Scrutiny Committee.
 - Review of the ongoing development at North Star, to be referred to Growing the Economy Overview and Scrutiny Committee.
 - Examination of the relationship between the Borough and Parish / Town Councils, for a possible one day review by this Committee.
 - For this Committee to receive a report from the Honda Working Groups.

Resolved – (1) That the draft Work Programme for 2019/2020, subject to the amendments as set out above, be agreed and adopted by the Committee.

(2) That the Clerk advise officers of the actions agreed by the Committee, as set out above.

(2) That each Overview and Scrutiny Committee be asked to review the combined Work Programmes to determine where there is overlap or matters missing, and to report any matters to the Chair of this Committee.

6. 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.

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

TUESDAY, 5 MARCH 2019

PRESENT:- Councillors Fionuala Foley (Chair), Malcolm Davies, Steph Exell, Mary Friend, Nick Martin, Caryl Sydney-Smith and Robert Wright and Carol Willis (Healthwatch).

Apologies for absence were received from Councillors Cathy Martyn (Cabinet Member for Housing and Public Safety), Claire Crilly and Julie Wright and Rosemary Curtis (Homeless Organisation Standing Together in Swindon) and Michelle Howard (Equality Advisory Group).

Also present: Councillor Brian Ford (Cabinet Member for Adults).

41. 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.

42. Minutes

Resolved -That the minutes of the meeting held on 29th January 2019 be confirmed and signed as a correct record.

The Chair noted that this was also the last meeting of the Municipal Year and expressed her appreciation to members, partners and the officer teams for their support and commitment over the Municipal Year.

43. Public Question Time

In accordance with Standing Order 28, Mr Roy Worman asked a number of questions covering the five surgeries in North Swindon, which included: a) the compatibility of the IT system across the surgeries, b) the surgeries start time in the morning, c) availability of patient's named doctor when booking appointments online, d) queues forming outside Moredon surgery prior to 8 o'clock opening time, e) the number of locums currently employed, the training they receive on induction and the functions they undertake within the practices, f) the relationship between The Telephone Hub and practices and the Hub's financial status.

Ms Gill May, Executive Nurse at NHS Swindon Clinical Commissioning Group (CCG), responded at the meeting.

Councillor Bob Wright submitted questions to the Committee on behalf of Mr Keenan, Business Manager at Threshold Housing Link regarding the involvement of the voluntary sector in developing the Council's Homelessness Strategy.

The Chair thanked Councillor Wright and advised that responses would be circulated to members of the Committee after the meeting.

44. Councillors Fionuala Foley (Chair), Mary Friend and Julie Wright

The Chair confirmed that she would not be seeking re-election at the forthcoming local government election on the 2nd May 2019 and would be standing down from the Council after nineteen years of service to Swindon and its residents.

The Chair also advised that she had been informed that Councillors Mary Friend and Julie Wright had recently indicated that they would also not be seeking re-election at the forthcoming local government elections.

Resolved – (1) That the Committee express its appreciation to Councillor Foley for her commitment and service to Swindon and its community, including time spent as Cabinet Member.

(2) That the Committee express its appreciation to Councillors Mary Friend and Julie Wright for their significant contribution to the Council and the local community over many years.

45. Avon and Wiltshire Partnership NHS Trust Update

The Committee received a report by the Clinical Lead, Avon and Wiltshire NHS Partnership Trust (AWP), that highlighted the achievements of the organisation and provided a summary of the challenges it was facing. Ms Nicola Hazle, Clinical Director for Bath and North East Somerset (BaNES), presented the report and drew the following key issues to member's attention:

- The evaluation of the Swindon Acute Unit being carried out to determine if an expansion to the service would be undertaken and to note that a decision was anticipated by the end of March.
- The performance of the Health Based Place of Safety and how a review of the service was being conducted by the Swindon Clinical Commissioning Group (CCG) to inform future work.

Following the introduction of the report, Ms Hazle, together with Mr Jason Everett, Operations Manager (AWP) responded to members' questions and comments on the following issues:

- The process undertaken and the organisations involved in determining how and when a patient was to be detained at a place of safety under Section 136 criteria.
- Discussions on how the street triage service works in conjunction with the police and on how the advice and support offered to people who may be experiencing mental health difficulties at the pre-arrest stage helps reduce the number of people who were not mentally ill, being detained under section 136.
- How "Listening into Action" (LiA) was an initiative designed to help AWP introduce new ways of working. This initiative allowed frontline staff to lead on changes they know would benefit service users and would help create a better working environment.

Resolved – (1) That the report be noted.

(2) That the Operations Manager (AWP) be requested to include an update on national challenges and achievements for the Trust in the report to the next meeting of this Committee.

Ms Gill May, Executive Nurse at NHS Swindon Clinical Commissioning Group (CCG), presented a report providing the Committee with a performance update and a summary of key issues in relation to the planning and provision of health and social care services within the Borough. She informed the Committee that following the concerns raised by the community regarding the Integral Medical Holdings (IMH) Group, a learning event for specific named members of the public and key stakeholders was being held on the 26th March 2019. Following this, a public meeting will be held, allowing members of the community to express their views. Ms May also drew the following key issues to member's attention:

- The success of the sunflower lanyards launch at Great Western Hospital where children with hidden disabilities wearing the sunflower lanyards were immediately visible to staff.
- Recruitment of staff to provide a bespoke service of care and support for patients who were terminally ill and were requesting to be discharged home.
- The merger of Swindon, Wiltshire and Bath and North East Somerset CCGs to centralise services.

Councillor Brian Ford, Cabinet Member for Adults, explained that he was involved in the staff recruitment processes undertaken by the CCG following the merger of the 3 CCGs. He confirmed that all relevant parties within the Council were kept updated regarding the new governance arrangements for the new organisation and the outcomes from this merger meant further integration between the CCG and the Council services.

Following the introduction of the report, Ms May, with the assistance of Mr Kevin McNamara, Director of Strategy, Great Western Hospital (GWH) NHS Foundation Trust, responded to members' questions and comments on the following issues:

- The need for further training in customer service techniques at the IMH surgeries.
- How and where the minutes of the public meeting to be held by the CCG on the 26th March 2019 would be circulated.
- The cancer diagnostic services provided by Churchill Hospital (Oxford) included PET scans and that the service was commissioned by NHS England.
- The success of the "Red Bag" scheme which supported older people in care homes having a smoother, speedier and more supported journey in and out of hospital and how the scheme parameters would be widened to include older people returning home.
- How promoting and raising awareness of the sunflower lanyards brings benefits to children with hidden disabilities.
- Discussions on the extent of CCG's involvement in addressing homelessness in Swindon.

Resolved – (1) That the report be noted.

(2) That the Director of Strategy, Great Western Hospital be requested to liaise with the Director at NHS England to include an update on the cancer diagnostic services provided by Churchill Hospital (Oxford) and how this effected Great Western Hospital services, at a future meeting of the Committee.

Mr Kevin McNamara, Director of Strategy, Great Western Hospital (GWH) NHS Foundation Trust, submitted a report providing the Committee with a performance update and a summary of the following key issues in relation to the planning and provision of health and services provided by the hospital. Issues reported on by Mr McNamara included:

- An overview of the power outage at GWH.
- The regular in-house and external meetings with partners to review cancer performance.
- Actions being taken to support challenging areas including urology, colorectal, head and neck cancers.
- An explanation of the Trust's priorities for 2019/20.
- The Trust's plans for expanding the Emergency Department.
- The action plans being implemented across a number of departments following the Care Quality Commission's (CQC) inspection.
- The reasons for delays in appointment bookings and actions taken to address this.
- GWH as the first hospital in England to launch the new sunflower lanyard pilot to support children with hidden disabilities.
- The progress made on early sepsis identification and patient treatment.

Following his introduction of the report, Mr McNamara, together with Councillor Brian Ford, the Cabinet Member for Adults, and the Director of Public Health responded to members' questions and comments on the following issues:

- Discussions on the collaborative work with Thames Valley Cancer Alliance on supporting the review of cancer pathways and that whilst performance had improved, there were still challenges to be addressed.
- How the Emergency Department's (ED) was continuously assessing performance and that the department had successfully launched the Ambulatory Care and Triage unit.
- Discussions on actions being taken to change the work culture within GWH, to help staff review the Care Quality Commission as a tool that offers service improvement.
- Implementation of the new outpatient appointments booking service to ensure patients were offered appointments as quickly as possible.
- How whilst the setting of waiting times for hospital appointments were determined nationally, the actual waiting times at GWH was dependent on the patients' case.
- Discussions on the recruitment of two Admiral Nurses who were providing the specialist dementia support to families in need.
- Discussions on the effect of the power outage on 1st February 2019 on the daily running of the hospital and the actions being taken to ensure maximum resilience in future.
- The development of local support within the community to promote physical activity for the elderly, particularly those suffering with dementia.
- The advertising campaign on social media and in GP's practices to raise public aware of the first signs of sepsis and on what actions to

take.

Resolved – (1) That the report be noted.

(2) That the Director of Strategy, Great Western Hospital (GWH) be requested to include an update on the reasons for and subsequent actions taken regarding the power outage in his report to be submitted at the next meeting of this Committee.

48. Domestic Abuse (DA) - Task Group Report

The Committee received a report from its Domestic Abuse (DA) Task Group, established to undertake a review of domestic abuse in Swindon. The Director of Health introduced the report and updated the committee on the membership and role of the volunteers on the task group. The Chair referred to the suggestions highlighted in the report aimed at raising awareness of the support available in Swindon for those experiencing domestic abuse. The Committee heard that the support of parish councils in promoting the services available in Swindon would be beneficial.

The Director of Health responded to members' questions and comments regarding follow-up support for children witnessing domestic abuse and the additional funding required for this work. She also confirmed that all the work by the group and their recommendations would be incorporated in the new domestic abuse strategy which was currently in the process of being updated.

Resolved - That the Committee welcomes this report and acknowledges the hard work of the Task Group in undertaking this review to inform the development of future work.

(2) That all officers and Members involved in the Task Group review be thanked for their hard work.

(3) That the Head of Housing be requested to include an update on the work being undertaken by the department to address the challenges faced by people in The Swindon Domestic Abuse Support Centre regarding move-on accommodation, be submitted at a future meeting of the Committee.

49. Work programme 2018/19

The Committee considered a report by the Interim Director of Law on the results of the work programme consultation, and the suggested priorities for the work for the Municipal Year, 2018/19.

Resolved – (1) That the report be noted.

(2) That contributions received from Councillors and stakeholders for consideration for inclusion in the Committee's Work Programme for the Municipal Year, 2019/20, be welcomed.

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

WEDNESDAY, 13 MARCH 2019

PRESENT:- Councillors Barbara Parry (Chair), Steve Allsopp, Alan Bishop, Matthew Courtliff, Fay Howard, Nick Martin, Paul, Roger Smith, Caryl Sydney-Smith and Nadine Watts and Spencer Allen (Swindon Association of Primary Headteachers) and Jacquie Watt (Swindon SEND Families Voice).

Apologies for absence were received from Councillor Carol Shelley and Steve Colledge (Swindon Association of Secondary Headteachers), Steve Henderson (Equality Advisory Group), Alison Paul (Association of Swindon Special Schools Headteachers) and Carol Willis (Healthwatch).

Also present: Councillor Mary Martin, Cabinet Member for Children and School Attainment.

35. Declarations of Interest

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

Councillor Barbara Parry made a personal, non-prejudicial declaration of interest in respect of Agenda item 39 (Children's Performance Summary) on the grounds of her employment by the Ridgeway School.

Councillor Matthew Courtliff made a personal, non-prejudicial declaration of interest to Agenda item 39 (Children's Performance Summary) as his wife was a teacher at Kingsdown School.

36. Public Question Time

No public questions were asked or submitted for this meeting.

37. Minutes

Resolved -That the minutes of the meeting held on 22nd January 2019 be confirmed as a correct record.

**38. Children's Health, Social Care and Education Overview and Scrutiny
Committee sub-group**

The Director of Children Services referred to the discussions held by the sub-group at their meeting on 28th February 2019 and advised members of the key challenges and issues addressed.

Resolved – (1) That the minutes of the sub-group's meeting be noted.
(2) That the sub-groups' minutes be included with these minutes.

The Performance Lead, Children Services, submitted a report providing an update on the performance of Swindon Children's Early Help and Social Care services based on the provisional year to date position at the end of December 2018. The report captured the key headlines from the most recent performance dataset and provided additional service contexts and aspects of performance information which should be considered when reflecting on the overall direction of travel for Quarter 3 of 2018/19. The Performance Manager drew particular attention to the reasons for the reduction in the number of Children in Need and on Child Protection plans since the last quarter and referred to the review undertaken to determine the reason for the increase in re-referral rates from the previous quarter.

In response to challenges and questions by Members, the following information was provided:

- a) The successful work being undertaken by health visitors in seeing children under reception age, with visits at their highest since 2017/18 was noted.
- b) As a result of the increase in additional social worker capacity and the focused improvement work across social care and early help, the number of Children in Need requiring a social worker but not subject of a Child Protection plan or Looked after, had decreased.
- c) The Local Safeguarding Board would be publishing the Serious Case Review (SCR Q) report once all court proceedings had been concluded.
- d) The successful recruitment of ten staff including Health Visitors, Early Years Practitioners and Staff Nurses for the Healthy Child Programme has helped stabilise the staffing position, and increase capacity in the health visiting team. This will enable the detailed risk assessment to be reviewed to continue to capacity is targeted according to need and prioritise.
- e) In collaboration with schools, pupils missing education are quickly identified and arrangements implemented to help them return to education.
- f) The reasons for school exclusions and the actions taken by schools, in collaboration with Children's Services to address this. This includes support by the Fair Access Panel to ensure pupils' re-integration into schools.
- g) The difference in terminology between contacts and referrals was explained and effective partnership working between the Multi Agency Safeguarding Hub and partner agencies was noted.
- h) The spread of work undertaken with the Housing Department to identify, procure and commission residential placements to meet children's specific needs was discussed and information on current placements presented.
- i) The Board recognised the energy put into the foster carer recruitment drive had resulted in the recruitment of fifteen foster parents, with twelve currently going through the Foster Care Panel process.
- j) The link between the completion of statutory assessments and the number of compliments and complaints received was explained.
- k) The impact of tailored support being provided by the Support in Employment team together with the Care leavers team for those not in education, employment or training was discussed. It was noted that Ofsted commented favourably on this during the recent focused visit.
- l) The success of the apprenticeship scheme where an increase in care leavers was successful in gaining employment is part of the initiative.
- m) The 2019/20 increase in budget allocated to Children's services would enable the department, together with its partners, to deliver its priorities.

- n) The actions and outcomes of Practice Management to determine effectiveness of services in safeguarding children.

Resolved – (1) That the report be noted.

(2) That the Performance Manager be requested to circulate the following information:

- a) The current number of children under reception age visited by Health Visitors as compared to the last quarter figures.
 - b) A link to the Serious Case Review by the Local Safeguarding Children's Board to be circulated after it was published.
 - c) The number of visits undertaken by health visitors covering new born to twelve month old babies.
 - d) The number of completed Education and Health Care Plans.
- 3) That the following items be added to the work programme for the next Municipal year:
- a) Healthy Child Programme.
 - b) The re-launch of the Early Help Strategy to monitor outcomes.
- 4) That the Performance Manager be requested to include the following information in her next report to the Committee:
- a) An analysis of re-referrals to determine if support and interventions were appropriate and sustainable.
 - b) The work being undertaken on the serious case reviews to prevent escalation.

40.

Local Area SEND Inspection

The Head of Education submitted a report updating the Committee on the outcomes of the Local Area Inspection of SEND (Special Education Needs and Disabilities) that took place between 19th & 23rd November 2018 and gave a presentation (attached to minutes) highlighting the key outcomes and recommendations of the inspection. He advised that a) Ofsted and the Care Quality Commission (CQC) attended to judge the effectiveness of the local provision in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014, b) they were focusing on how well the various partners in Swindon identified, assessed and provided for the needs of children and young people; c) a written statement of action was reviewed by Her Majesty's Chief Inspector and that, d) with Swindon Clinical Commissioning Group (CCG), the Department had until 14th April 2019 to respond to the key areas of weakness identified and submit the Written Statement of Action (WSOA) to Ofsted who will be returning after eighteen months to review progress, in October 2020.

Following the presentation, the Head of Education, responded to the members' questions and comments in respect of the following matters:

- The success of the sunflower lanyards launch at Great Western Hospital where children with hidden disabilities wearing the sunflower lanyards were immediately visible to staff.
- The pathways available for children and young people were being reviewed with the CCG to ensure better provision of service. This review was being undertaken over the next eighteen months.
- Due to the CCG's difficulty in recruiting consultant paediatricians to Swindon, an interim designated medical officer had been recruited to undertake some of the work.
- The recruitment of healthcare staff was a national issue and Swindon's successful national recruitment drive had been undertaken in January 2019.

- Experienced interim staff recently recruited in the SENAT team to support officers in the Department to meet statutory duties.

Resolved – (1) That the report be noted.

(2) That the Head of Education be requested to submit a dashboard and performance report highlighting successes and challenges in implementing the written statement of action to a future meeting of the Committee.

(3) That the Head of Education be requested to circulate:

- a) a copy of the presentation.
- b) a copy of the written statement of action.

41. Report on work of Youth Engagement Service, U-Turn Substance Misuse Service and Youth Offending Team

The Director of Children Services submitted a report from the Youth Offending Team, Youth Engagement and U-Turn, to give greater insight into the work they do, how they work together and the outcomes they achieve both individually and collaboratively. The Service Manager, Restorative Youth Services, introduced the report and advised that the services worked in collaboration with social care services to achieve positive outcomes. He advised that the data presented in the report outlined the characteristics of children and young people they work with, the effectiveness of resources and practices utilised and how the various geographical areas across the Borough were supported.

In response to challenge and questions by Members, the following information was provided:

- a) The spread of work undertaken by services included a) provision of advice and guidance to parents of young people using drugs, b) pre-meetings with children and young people in a supportive environment to build up confidence and build up a relationship, c) participating in school assemblies, d) supporting local groups in raising awareness of the impact of drug taking, and e) with commissioner's support, undertake social services work including cognitive behavioural therapy.
- b) The distribution of resources are configured to target criminal exploitation in specific areas. This included using the expertise of the Community Safety Partnership Board and Local Safeguarding Childrens Board Members.
- c) The family background of the number of young people being supported by the Youth Engagement team, was discussed and patterns of need identified.
- d) The strong working relationship with the Police services, particularly with police community support officers (PCSO) was noted. Through the support of the Youth Engagement Team, the community was now able to benefit from PCSOs coaching and mentoring young people.
- e) Members challenged the processes undertaken by the departments to ensure out of reach and isolated young people were identified and helped.
- f) Clarification was sought on how funding was allocated. The Committee was advised that a feasibility study was being undertaken to amalgamate services to create a new Family Intervention and Support Service (FISS) ensuring that work was streamlined to the benefit of young people in Swindon.

Resolved – (1) That the report be noted.

(2) That the Service Manager, Restorative Youth Services be requested to circulate data on the number of young people supported by the Youth Engagement team as compared to previous years' figures.

42.

Work Programme

The Committee considered a report by the Interim Director of Law on the results of the work programme consultation and the suggested priorities for the work for the Municipal Year, 2018/19.

Resolved – (1) That the report be noted.

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

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GROWING THE ECONOMY OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 27 MARCH 2019

PRESENT:- Councillors Emma Faramarzi (Chair), Mark Dempsey, Paul Dixon, Garry Perkins, Imtiyaz Shaikh, Roger Smith and Caryl Sydney-Smith.

Apologies for absence were received from Councillors John Haines and Chris Watts.

42. 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 Roger Smith made a non prejudicial declaration of interest in respect of Agenda Item No. 5 as he was employed as a Town Planner by Savills.

43. Public Question Time

No public questions were received during the meeting.

44. Minutes

Resolved – That the minutes of the meeting held on 30th January 2019, be confirmed and signed as a correct record.

45. Presentation - Regeneration of the Town Centre

The Committee considered a presentation on the Regeneration of Swindon Town Centre.

Following the presentation Trudy Godfrey (Project Manager, Economic Development, Councillor Dale Heenan (Cabinet Member for the Town Centre) and Councillor Oliver Donachie (Cabinet Member for Economic Prosperity) responded to issues raised in respect of:

- Estimated timescales for major works to regenerate the town centre.
- An overview of the six person team overseeing the town centre regeneration.
- Work on the masterplan for the town centre, the successful application for planning permission, Zurich's proposed move to Wichelstowe and future use of the tri-centre once it is vacated.
- Mixed use proposals under the Kimmerfields Masterplan for the locality surrounding the proposed site of the Zurich development.
- The design features, including pedestrian access and crossing, for the proposed Bus Boulevard and funding options available for its development.
- The continued need for the provision of high standard modern office accommodation within the Borough and current market testing in respect of commercial property provision.
- Parking provision and standards for new housing developments in Wichelstowe.
- Cycleway and electronic re-charging provision within new housing developments.

- Connectivity between the railway station and town centre and transport loops under the current development proposals.
- Design features to improve the environment and safety for local residents and workers using the town centre in the early morning and evening.
- Upgrades to the utilities, including broadband, within the town centre locality.
- Works to improve the approach to the Railway Station in Wellington Street and work with Network Rail and Great Western Railway on the Station Arrival Quarter through the One Public Estate Project.
- The completion of the first phase of the Carriage Works development of the work shed in 2018 with all the available office spaces occupied and future plans for the development of the remaining space.
- The development of residential flats and commercial units in Faringdon Road.
- The current position of the North Star Development which was expect to open in 2021/22 and linkages with the town centre and Steam/Outlet Centre.
- The Town Centre Movement Strategy.
- The Cultural Quarter which would include an upgraded Wyvern Theatre, a new Museum and Art Gallery and the Civic Offices and would improve the evening economy.
- Funding received from Historic England and further work with that organisation to deliver projects over the next five years.
- Work with the National Trust and Mechanics Institute Trust with regard to bringing the Mechanics Institute back into use, ideally within a community role.
- Engagement with the private sector and landowners regarding the refurbishment of premises or, where appropriate, a change of use.
- Plans to improve the evening and night-time environment in the town centre area.
- The future development of the ex-Aspen House and Corn Exchange sites.
- The current position of the Swindon Town Centre Master Plan and the need to identify key projects to focus on until they are delivered.

Resolved – (1) That the Cabinet Member for the Town Centre, Councillor Cabinet Member for Economic Prosperity and officers be thanked for their presentation and response to Members' questions.

(2) That items on the Carriage Works, the future of Civic Campus and Wyvern Theatre and Park and Ride be considered for inclusion in the Committee's 2019/20 Work Programme.

(Councillor Roger Smith made a non prejudicial declaration of interest in respect of this item as he was employed as a Town Planner by Savills.)

46.

Reference from Council - Honda

The Committee received a reference from Council (Minute 84, Motion – Honda) requesting that the Committee consider the establishment of a Working Party to assess options as to how SBC can assist where possible in the recovery effort. The Chair noted that the Working Party that would be established as a Cabinet Member Advisory Group. Much of the information to be considered by would be commercially sensitive and any Member serving on it would be required to sign a non-disclosure agreement. The Committee also received an update on work undertaken by the Council and Government departments since the announcement

by Honda regarding the proposed closure of the Swindon plant.

Resolved – (1) That a Cabinet Member Advisory Group Working Party be established comprising Mark Dempsey, Paul Dixon, Emma Faramarzi, Stan Pajak, Maureen Penny and Garry Perkins who be required to complete a non-disclosure agreement prior to serving of the Working Party.

(2) That officers, in liaison with the Cabinet Member for Economic Prosperity, be requested to establish terms of reference for the Cabinet Member Advisory Group Working Party which be considered at the next meeting of the Committee.

47. Presentation - Park and Ride Services

With the agreement of the Committee this item was withdrawn.

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RESOURCES AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE

MONDAY, 17 JUNE 2019

PRESENT:- Councillors Brian Mattock (Chair), Steve Weisinger (Vice-Chair), Manro, Des Moffatt, Adorabelle Shaikh, Timothy Swinyard, Rahul Tarar and Robert Wright

Apologies for absence were received from Councillors Claire Crilly.

1. Declarations of Interest

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

2. Minutes

Resolved – That the minutes of the meeting held on 4th March 2019 be confirmed and signed as a correct record.

Members noted that the report considered at the meeting regarding progress towards the Council's Vision, Priorities and Pledges had been brought to the attention of the Chairs of the Overview and Scrutiny Committees for potential inclusion in the Work Programmes for the 2019/2020 Municipal Year.

3. Public Question Time

Mr Roy Worman, Haydon Wick, asked questions at the meeting in respect of:

- a) The introduction of timelines within the process of reporting delivery against the Council's Vision.
- b) The availability of Directorate Scorecards, and the information published on the Council's website regarding progress against the Pledges.
- c) The use of the term 'On Track' and its evaluation through the assessment of deliverables versus measurements and outcomes.

The Chair and Mr Martin Bell, Intelligence Lead (Analysis and Performance Improvement), responded at the meeting.

4. The Council's Approach to Performance Management

The Committee considered a report outlining the current performance management arrangements within the Council, and noted that robust performance management is crucial to ensuring the Council delivers against the Vision, Priorities and Pledges and delivers modern services in an efficient and financially stable way.

Mr Bell introduced the report and gave a presentation to the Committee on performance management in Swindon Borough Council, covering issues such as:

- The Council Plan for 2019-2020 which sets out what the Council will do for its residents, and how.
- The Council's Vision, four Priorities and 26 Pledges, adopted in 2015 and updated in September 2018.
- How the Swindon Programme will ensure the Council has the resources to

deliver the Council Plan.

- The behaviours and values expected of staff, and the recently introduced Performance Development Plans.
- The links between Cabinet, Corporate Management Team, Directorates, Service areas, and teams within the performance model.
- The Business Plans produced annually by Heads of Services, and the plans put in place to mitigate the impact of identified and assessed risk.
- How performance is regularly monitored through Corporate Scorecards, Head of Service scorecards, and operational performance reports for various boards and service managers.
- The role of the Policy, Performance and Research Team in supporting the Council.

Following the presentation, the Committee discussed:

- The involvement of members in assessing progress against the pledges, including the production of updates for lead members, and the quarterly performance report, which will be presented to Cabinet.
- The impact of staff shortages on achieving objectives, and how this is reflected in the current performance management arrangements.
- The use of scorecards as a tool to shine a light on issues of resource and present a rounded picture of service performance.
- How the Council monitors performance in relation to achieving those aspects of its Vision and Priorities that are outside of its control.
- How key reserved areas such as activity, demand, quality and outputs are measured in order to ensure milestones are delivered and the required impact on service outcomes is achieved.
- How the Policy, Performance and Research Team can be commissioned on a case by case basis to do a route cause analysis trend.
- The importance of data sharing with partners such as parish councils so that contract performance can be monitored.

Resolved – To note the contents of the report and the presentation.

5. LGA Peer Review

The Committee considered a report outlining the nature of the LGA Peer Review follow up visit which took place in December 2018, the peer review findings, and the suggested action points.

Ms Sam Mowbray, Director of Performance, Organisational Improvement and Communications, introduced the report and gave a presentation to the Committee on the range of suggestions highlighted in the report from the peer team to the Council, and the work being undertaken by the Council to achieve the recommendations put forward by them.

Following the presentation, the Committee discussed:

- The proposed membership of any member group set up in response to the recommendations, this being a matter for Cabinet to consider.
- How Ward members can contribute to effective decision-making if included in the process.
- The sufficiency of information given to Ward members on how cost pressures

- are affecting levels of service.
- The practical experience of the participants interviewed by the peer team.
- How the wider management team at the Council will be receiving refresher training to raise political awareness, and ensure consultation with Ward members is occurring.

Resolved – (1) To note the contents of the report and the presentation.

(2) To indicate the Committee's support for the continuation of the peer review process.

6. Work Programme 2019-2020

The Committee considered a report of the Chief Legal Officer setting out potential topics for inclusion in the 2019/2020 Scrutiny Work Programme.

The Chair referred to the proposed theming for the forthcoming meetings of this Committee, as set out in the draft Work Programme attached at Appendix 1 to the report. The Chair also advised of the following matters that Scrutiny Committee, at its meeting on 10th June 2019, had recommended to this Committee for its consideration during the forthcoming Municipal Year. These are:

- Review of the long-term leases for the leisure facilities run by GLL.
- Review of how the Council uses its procurement budget locally.

Following discussion, the following amendments were agreed:

- That the review of how the Council uses its procurement budget locally be widened to include an update on the anti-corruption rules following Brexit.
- That the item programmed for 24th September 2019 on 'Estates Rationalisation' will be renamed, as the report will focus only on those buildings currently being used to house Council employees.
- That an item on the rationalisation of all the Council's estate will be added to the Work Programme for the 25th November 2019 meeting.

Resolved – That the draft Work Programme for 2019/2020, subject to the amendments as set out above, be agreed and adopted by the Committee.

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Section 3

Regulatory Committee Minutes

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APPEALS COMMITTEE

FRIDAY, 17 MAY 2019

PRESENT:- Councillors Rahul Tarar (Chair), Junab Ali, Steve Allsopp, Abdul Amin, John Ballman, Alan Bishop, Malcolm Davies, Steph Exell, Emma Famarzi, Steve Heyes, Jenny Jefferies, Nick Martin, Brian Mattock, Barbara Parry, Adorabelle Shaikh, Carol Shelley, Roger Smith, Andy Spry, Caryl Sydney-Smith, Vera Tomlinson, Nadine Watts, Peter Watts, Steve Weisinger and Bob Wright.

An apology for absence was received from Councillor Claire Crilly.

1. Declarations of Interest

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

2. Minutes

Resolved – That the minutes of the meeting held on 18th May 2018, be confirmed and signed as a correct record.

3. Public Question Time

No public questions were received during the meeting.

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

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

5. Appointment of Sub-Committees and Panels

Resolved – (1) That an Ad Hoc Appeals Sub-Committee be appointed, having the functions set out in the document “Swindon Council Constitution 2019/20” and comprising Junab Ali, Claire Crilly, Steph Exell, Steve Heyes, Nick Martin, Caryl Sydney-Smith and Vera Tomlinson.

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

(2) That an Education Transport Appeals Sub-Committee be appointed, having the functions set out in the document “Swindon Council Constitution 2019/20” and comprising 3 Councillors to be drawn from Councillors serving on this Committee.

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

(3) That a Staff Appeals Sub-Committee be appointed, having the functions set out in the document “Swindon Council Constitution 2019/20” and comprising Alan Bishop, Emma Famarzi, Jenny Jefferies, Brian Mattock, Adorabelle Shaikh,

Nadine Watts and Peter Watts.

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

(4) That a Housing Tenancy Panel, having the functions set out in the document "Swindon Council Constitution 2019/20" be appointed to consider Tenancy Appeals and comprising 3 Councillors to be drawn from Councillors serving on this Committee.

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

(5) That an Adult Social Services Review Panel be appointed, having the functions set out in the document "Swindon Council Constitution 2019/20" and comprising 1 Councillor to be drawn from Councillors serving on this Committee.

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

(6) That an Introductory Tenancy Panel be appointed, having the functions set out in the document "Swindon Council Constitution 2019/20" and comprising 3 Councillors to be drawn from Councillors serving on this Committee.

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

EDUCATION TRANSPORT APPEALS SUB-COMMITTEE

THURSDAY, 6 JUNE 2019

PRESENT:- Councillors Alan Bishop, Caryl Sydney-Smith and Peter Watts.

1. Appointment of Chair

Resolved – That Councillor Peter Watts be Chair of 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 matters to be considered at the meeting. No declarations were made.

3. Minutes

Resolved – That the minutes of the meeting held on 13th September 2018, be confirmed and signed as a correct record.

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 Item 6 of the Notice of the Meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act. (Minute 5 refers.)

5. Home to School Transport Appeals

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

Resolved - That, due to there being no exceptional circumstances, appeal number 339116 be refused.

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APPOINTMENTS COMMITTEE

FRIDAY, 17 MAY 2019

PRESENT:- Councillors David Renard (Chair), Ray Ballman, Emma Bushell, Oliver Donachie, Brian Ford, Jim Grant, Dale Heenan, Russell Holland, Mary Martin, Cathy Martyn, Jane Milner-Barry, Des Moffatt, Stan Pajak, Maureen Penny, Carol Shelley, Kevin Small, Gary Sumner, Timothy Swinyard and Keith Williams.

Apologies for absence were received from Councillor Steve Allsopp and Councillor James Robbins

1. Declarations of Interest

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

2. Minutes

Resolved – That the minutes of the meeting held on 18th May 2018, be confirmed and signed as a correct record.

3. Public Question Time

No public questions were received during the meeting.

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

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

5. Appointment of Sub-Committee

Resolved - That an Appointments Sub-Committee be appointed, having the functions set out in the document “Swindon Council Constitution 2019/20” and comprising 7 Councillors to be drawn from Councillors serving on this Committee.

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PLANNING COMMITTEE

TUESDAY, 12 FEBRUARY 2019

PRESENT: - Councillors Timothy Swinyard (Chair), Toby Elliott (Vice-Chair), John Ballman, Malcolm Davies, Steph Exell, Fionuala Foley, Nick Martin, Stan Pajak, James Robbins, Vera Tomlinson and Peter Watts.

Apologies for absence were received from Councillors Alan Bishop and Jane Milner-Barry.

59. Declarations of Interest

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

Councillor Toby Elliott made a personal and prejudicial declaration of interest in respect of application numbered S/18/1072 as s family member owned a property in the close vicinity.

60. Minutes

Resolved – That the minutes of the meeting held on 8th January 2019, be confirmed and signed.

61. Public Question Time

Mr Gary Llewellyn asked a public question seeking clarification in respect of the current review of the Council's Local Plan when it was likely to be published. The Chair indicated that a written response would be provided.

62. S/15/1701 Erection of 1no. dwelling - Land Off Short Drove, Hinton Parva, Swindon

The Chair with the agreement of the Committee, and at the request of the applicant's agent, determined that applications S/15/1701 and S/18/1302 should be considered together as they related to the same site and the same applicant. Any consideration of the applications would be considered separately and solely upon their own merits.

In respect of application numbered S/15/1701 (Erection of 1no. dwelling – Land Off Short Drive, Hinton Parva, Swindon), the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Mark Cullen	Agent
Martin Wilson	Applicant

Councillors Toby Elliott, Fionuala Foley, Stan Pajak, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The application if successful would make a small contribution to the deficit in the Council's 5 year housing plan.
- The application has been pending since 2015 with no objection from the Policy Officer, Highways Officer or Open Design Officer.
- That the dwellings cannot be considered as isolated and the proposal set against Paragraph 79 of the NPPF (formally paragraph 55 in the 2012 NPPF which was no longer relevant) and that the application was consistent with the current framework.
- Paragraph 131 of the NPPF was applicable and gave weight to schemes that raise the standard of design so long as they fit in with the form of the surrounding buildings.
- Paragraph 103 of the NPPF recognises that sustainable transport solutions would vary between rural and urban settings and that this should be taken into account during the decision making process.
- The applicant had collaborated constantly with the Council's Design Officer and the South West Design Panel to reach a design that was supported by the experts. Indeed the Design Panel considered the architectural design approach to be of high quality in a simple form reflecting a smith shop/smithy with cladding was supported by the Panel.
- The Urban Design Officer concluded that in his opinion that residential development on this site was acceptable.
- The applicant and his design team had done everything the Council had requested of them in the previous four years and there had been no objections from consultees within the Council.
- The site was sustainable and only 1.5 miles from the village of Wanborough which offered local facilities and there were bus stops within the vicinity of the site the nearest being 75 metres away and on a school bus route.
- The facilities of Hinton Parva, including a primary school, were within walking distance.
- The grant of the application for a family home would help support local facilities and services remain sustainable.
- The applicant had done all they could in respect of the application to provide a family home in a suitable location.
- The proposed dwelling was for a family home for a local family who also worked locally. Family members also lived in Wanborough and were full participants in village activities.
- The Parish Council had been consulted prior to the applications and during the planning process.
- The site already had a building and a large skip situated there and so was in general use.
- That there was a shortage of high quality family homes within the Borough.
- With regard to existing and surrounding context the Design Officer found that the material choice was appropriate and that it was better to have fewer

materials which expressed the building's design through a simple form as is primarily of an agricultural disposition.

- The dwelling in terms of height is lower than the existing buildings opposite the site.
- The design ethos had been changed from the original application in order to find a solution that was more acceptable to the Council.

Submissions opposing the application can be broadly summarised as:

- That the proposed dwelling did not improve the character, quality and appearance of the surrounding area and the site was not located within the Parish settlement area.
- The design for application was not of sufficient quality to satisfy the exemption under the original NPPF (in force at the time of the original application) nor the current 2018 NPPF as an outstanding or ground breaking design and which provides high levels of sustainability and fits in with surrounding buildings.
- The application was in contrary to policies SD1 and SD2 in the Local Plan.
- The development could not be considered as sustainable.
- The proposed dwelling was located outside of the settlement boundary in open countryside and if approved might set a dangerous precedent for building in open countryside.
- There was no sewerage or foul water drainage on site and no environmental measures had been proposed in this respect nor had they been discussed with neighbours.
- The design of the property, and the materials to be used, were not appropriate when considering the nearby houses and would not enhance the locality.
- The absence of a five year land supply did not require all applications to be granted especially when the design was neither innovative nor sustainable.
- The design was not of sufficient quality to satisfy the exemption under the 2018 NPPF as an outstanding or ground breaking design and which provides high levels of sustainability as long as they fit in with the overall form and layout of their surroundings.
- The dwelling was over-powering for the location and didn't fit with the character of nearby buildings.

Resolved - That application S/15/1701 be granted subject to such conditions as may be determined by the Head of Planning, Heritage and Regulatory Services.

Reasons

1. That the proposal whilst located outside of the settlement boundary, represented a contemporary design that was of a high quality, in keeping with its surroundings and location on a site where previous buildings existed.
2. That the scheme uses material of high quality and incorporates innovative and that the benefits of granting permission outweigh the harm of permitting the development.
3. The proposal makes a small contribution to meeting the Council's housing land supply.

63. S/18/1302 Erection of 1no. dwelling - Land Off Short Drove, Hinton Parva, Swindon

In respect of application numbered S/18/1302 (Erection of 1no. dwelling – Land Off Short Drive, Hinton Parva, Swindon), the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Mark Cullen	Agent
Martin Wilson	Applicant
Nigel Crisp	Bishopstone Parish Council

Councillors Toby Elliott, Fionuala Foley, Stan Pajak, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The application if successful would make a small contribution to the deficit in the Council's 5 year housing plan.
- The application has been pending since 2015 with no objection from the Policy Officer, Highways Officer or Open Design Officer.
- That the dwellings cannot be considered as isolated and the proposal set against Paragraph 79 of the NPPF (formally paragraph 55 in the 2012 NPPF was no longer relevant and that the application was consistent with the current framework).
- Paragraph 131 of the NPPF was applicable which gives weight to schemes that raise the standard of design so long as they fit in with the form of the surrounding buildings.
- Paragraph 103 of the NPPF recognises that sustainable transport solution will vary between rural and urban settings and that this should be taken into account during the decision making process.
- The applicant had collaborated constantly with the Council's Design Officer and the South West Design Panel to reach a design that was supported by the experts. Indeed the Design Panel considered the architectural design approach to be of high quality in a simple form reflecting a smith shop/smithy with cladding was supported by the Panel.
- The Urban Design Officer concluded that in his opinion that residential development on this site was acceptable.
- The applicant and his design team had done everything the Council had requested of them in the previous four years and there had been no objections from consultees within the Council.
- The site was sustainable and only 1.5 miles from the village of Wanborough which offered local facilities and there were bus stops within the vicinity of the site the nearest being 75 metres away and on a school bus route.

- The facilities of Hinton Parva, including a primary school, were within walking distance of the proposed development.
- The grant of the application for a family home would help support local facilities and services remain sustainable.
- The applicant had done all they could in respect of the application to provide a family home in a suitable location.
- The proposed dwelling was for a family home for a local family who also worked locally. Family members also lived in Wanborough and were full participants in village activities.
- The Parish Council had been consulted prior to the applications and during the planning process.
- The site already had a building and a large skip situated there and so was in general use.
- That there was a shortage of high quality family homes within the Borough.
- The proposed design of the dwelling was innovative nor appropriate for the location.

Submissions opposing the application can be broadly summarised as:

- That the proposed dwelling did not improve the character and appearance of the surrounding area and the site was not located within a settlement area.
- The design for application is not of sufficient quality to satisfy the exemption under the 2018 NPPF as an outstanding or ground breaking design and which provides high levels of sustainability as long as they fit in with surrounding buildings.
- The development could not be considered as sustainable.
- The proposed dwelling was located outside of the settlement boundary in open countryside and if approve might set a dangerous precedent for building in open countryside.
- There was no sewerage or foul water drainage on site and no environmental measures had been proposed in this respect.
- The design of the properties were not appropriate when considering the nearby houses and would not enhance the locality.
- The absence of a five year land supply did not require all applications to be grant especially when the design was neither innovative nor sustainable.
- Contemporary design in the form of a refurbished barn using timber, stone glass and cladding was not of sufficient quality to satisfy the exemption under the 2018 NPPF as an outstanding or ground breaking design and which provides high levels of sustainability as long as they fit in with the overall form and layout of their surroundings.
- The design ethos had been changed from the original application in order to find a solution that was more acceptable to the Council.
- With regard to existing and surrounding context the Design Officer found that the material choice was appropriate and that it was better to have fewer materials which expressed the building's design through a simple form as is primarily of an agricultural disposition.
- The dwelling in terms of height is lower than the existing buildings opposite the site.
- The dwelling was over-powering for the location.

Resolved - That planning application S/18/1302 be refused.

Reasons:

1. In the opinion of the Local Planning Authority the proposed dwelling, located outside a defined settlement boundary does not represent development that is of exceptional quality or is an outstanding or innovative design that improves the character and quality of the area in which it is situated. It therefore comprises unsustainable development that does not fit in with the overall form and layout of its surroundings, is harmful to amenity contrary to policies SD1, SD2 and DE1 of the Swindon Local Plan 2026 (2105) and the NPPF.

1 This refusal shall be in respect of plan nos
10968-100-01;

Core for sustainable homes pre assessment;
Design and access statement;
Ecology Survey
Flood Risk Assessment
Foul sewage and utilities assessment
Landscape and visual appraisal
Planning statement received 2 August 2018;

(20) 001 rev F

(20) 002 rev F

(20) 003 rev C

(20) 004 rev C

(20) 005 received 29 November 2018

64. S/18/1072 Erection of a three storey block of 6 no. flats and associated works - 98 Redcliffe Street, Swindon

In respect of application numbered S/18/1702 Erection of a three storey block of 6 no. flats and associated works - 98 Redcliffe Street, Swindon) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Mark Campbell	Agent
James Yeowell	Central Swindon South Parish Council
Shaun O'Grady	Local Resident

Councillors Malcolm Davies, Fionuala Foley, Nick Martin, Stan Pajak, Jim Robbins, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The site was largely surrounded by residential development.

- The application complied with Local Plan Policy SD2 with regard to sustainable development.
- The development was sustainable and was close to footpaths, Swindon's bus network, local schools and good access to the services and facilities in the town centre.
- The development would provide six flats which would help meet the Council's deficit in its five year housing land supply.
- The materials proposed were red brick which would be sympathetic to the existing street scene.
- The proposed building was at the end of a street with a recently completed development with its own car park opposite.
- Given the mixed character of the street and the design and materials proposed for the new development and the car parking provision proposed it was deemed by officers to be acceptable.
- Subject to conditions there had been no objection from Highways Officers on either parking or access.
- On the request of the Council's Tree Officer trial trenching had been undertaken to ascertain whether the roots of a large tree on the edge of the site would be damaged and it had been determined that this would not be the case, nor would there be damage to the tree itself.
- The development was compliant with respect to the Swindon Local Plan and in respect of parking provision with one space per flat and a space for visitors, and also provided cycle storage.

Submission opposing the application can be broadly summarised as:

- Three on-street car parking spaces would be lost as a result of the development in an area that already had insufficient capacity.
- The development would be an overdevelopment of a fairly small site.
- The development would add additional traffic to an area that already suffered major vehicular congestion.
- The development might affect the light to properties in Padstowe Road and Churchward.
- There might be privacy and light issues affecting residents of Britannia House and Godwin House opposite the proposed development.
- The seven parking spaces for the development were insufficient and would cause problems of additional on-street parking arising from visitors to the proposed flats and delivery drivers.
- The area of the development was used for turning cars in a narrow street.
- Traffic and parking is a major issue in Rodbourne, including Redcliffe Street.
- Refuse Collection and other large vehicles struggled to drive down Redcliffe Street and the loss of on-street parking would not improve this situation.

Resolved - That planning application S/18/1072 be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

2. This approval shall be in respect of Drawing Number 18/14 (Location & Block Plan) at scales 1:1250 and 1:200, Drawing Number 18/14 03 (Ground Floor Plan) at scale 1:100 and Drawing Number 18/14 04 (1st & 2nd Floor Plans) at scale 1:100 received by the Local Planning Authority 26th June 2018, Drawing Number 18/14 02 B, Drawing Number 18/14 07 A (SW Sectional Elevation) at scale 1:100 and Arboricultural Report received by the Local Planning Authority 21st December 2018 and Drawing Number 18/14 05 A (NW and SW elevations) at scale 1:100 and Drawing Number 18/14 06 A (SE and NE elevations) at scale 1:100 received by the Local Planning Authority 18th January 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

3. No construction work shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained together with measures for their protection during development; an appropriately scaled planting plan to include the location, numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation. The drawing shall include or be accompanied by a detailed specification setting out an appropriate methodology for implementing the scheme in accordance with the relevant British Standards to include BS 8545:2015, BS 4428:1989 and BS 5837:2012. Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted, shall be replaced by one of a similar size and the same species.

Reason: To ensure the appearance of the development is satisfactory.

4. Prior to the commencement of works on site in connection with the development hereby permitted, details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with these approved details.

Reason: To ensure that the appearance of the development is satisfactory.

5. Prior to the commencement of works on site in connection with the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented before the first occupation of the site and shall be retained in the approved form for so long as the development hereby permitted remains on the site.

Reason: In the interests of the amenities of the area.

6. Prior to the commencement of works on site in connection with the development hereby permitted, details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land shall have first been submitted to and approved in writing by the Local Planning Authority. The

development hereby approved shall be constructed in accordance with the approved slab levels.

Reason; To ensure the details and appearance of the development is acceptable

7 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall:

- i. specify the type and number of vehicles;
- ii. specify the point of construction access and access route to the site;
- iii. set out details of the parking of vehicles of site operatives and visitors;
- iv. set out arrangements for the loading and unloading of plant and materials;
- v. set out arrangements for the storage of plant and materials used in constructing the development;
- vi. set out arrangements for wheel washing facilities;
- vii. specify the intended hours of construction operations;

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development.

8 The development hereby permitted shall not be occupied until space has been laid out within the site for a minimum of 7 bicycles to be parked in a secure and sheltered location, in accordance with SBCs Parking Standards and such provision shall be maintained thereafter.

Reason: To promote and encourage sustainable transport and travel.

9 The building hereby permitted shall not be occupied until the vehicular parking has been provided in accordance with the submitted plan drawing no.18/14:02 B, and those facilities shall be maintained available for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site.

(Councillor Toby Elliott made a personal and prejudicial declaration of interest in respect of application numbered S/18/1072 as a family member owned a property in the close vicinity and left the room during its discussion and voting thereon.)

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PLANNING COMMITTEE

TUESDAY, 9 APRIL 2019

PRESENT: - Councillors Timothy Swinyard (Chair), Toby Elliott, John Ballman, Alan Bishop, Malcolm Davies, Steph Exell, Fionuala Foley, Nick Martin, Jane Milner-Barry, Stan Pajak, Vera Tomlinson and Peter Watts.

An apology for absence was received from Councillor Jim Robbins.

65. 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.

66. Minutes

Resolved – That the minutes of the meeting held on 12th February 2019, be confirmed and signed.

67. Public Question Time

There were no public questions

68. S/18/1709/CHHO - Demolition and conversion of existing barns and erection of 2no. new buildings to create 5no. dwellings, with associated garages, landscaping, ancillary development and repairs to Grade II Listed wall. and LBC/18/1710/CHHO Demolition and conversion of existing barns and erection of 2no. new buildings to create 5no. dwellings, with associated garages, landscaping, ancillary development and repairs to Grade II Listed wall

With the agreement of the Committee, Agent and Tom Green Parish Councillor, agenda items 6 and 7 were considered together.

In respect of application numbered S/18/1709/CHHO (Demolition and conversion of existing barns and erection of 2no. new buildings to create 5no. dwellings, with associated garages, landscaping, ancillary development and repairs to Grade II Listed wall), and LBC/18/1710/CHHO Demolition and conversion of existing barns and erection of 2no. new buildings to create 5no. dwellings, with associated garages, landscaping, ancillary development and repairs to Grade II Listed wall the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Jonathan Hoban	Agent

Councillor Gary Sumner
Tom Green

Ward Councillor
Bishopstone Parish Council

Councillors John Ballman, Toby Elliott, Fionuala Foley, Nick Martin, Jane Milner-Barry, Stan Pajak, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The current site comprised traditional and modern agricultural buildings and was within the defined settlement site for Bishopstone.
- The original buildings were to be retained and converted whilst the modern barn and silo would be demolished to facilitate the new development.
- The development was deemed acceptable for the location which was situated within the rural settlement boundary and the number of units being proportional in number and size to the village of Bishopstone.
- The design was considered to reflect the rural/agricultural nature of the Conservation Area and would help protect the historic buildings and boundary wall.
- The absence of a pedestrian link through the site was not unsympathetic given the lack of pedestrian facilities in the vicinity of the proposed development.
- There was no right of way established through development area although some access had been granted by the landowner.
- The current location was used for village events.
- The application protected the amenity of existing residents whilst providing a good standard of amenity for new residents.
- There was good access and egress to and from the development via Icknield Way.
- The applicants had worked with heritage and conservation experts and both the Parish and Borough Council to produce a sustainable housing site and had taken on board comments and suggestions from those authorities removing two units and the redesign of other units.
- The site was identified within the local SHLAA as being suitable for 12 properties and complied with all local and national policies.
- The application had been supported by all statutory consultees with conditions which had been accepted by the applicant.
- The application if successful would make a small contribution to the deficit in the Council's 5 year housing plan.
- The application would assist in the preservation of designated and non-designated assets and would enhance the local economy.
- There was no legal right of way to the site and would be subject to different regulatory regulations.

Submission opposing the application can be broadly summarised as:

- The application was lacking a pedestrian footway between Icknield Way to West End Lane as well as traffic calming measures along Icknield Way.
- Local residents have been used to being able to use access to the current site to avoid a dangerous corner along Icknield Way.

- The Church Commissioners as landowners and agent were significant landowners in the village and could provide a pedestrian footpath through the site if they were so minded.
- The remainder of the village was connected with footpaths and walkways and the Parish Council requested pedestrian access be provided to the community facilities in the village centre which would provide a benefit to the wider community.
- There was an outstanding issue arising from comments of the conservation officer relating to the height of the building proposed on plot 4 of the development.

Resolved – (1) That application S/18/1709 be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

2. This decision shall be in respect of the following drawing numbers, plans and information received by the Local Planning Authority:

Existing Plans: 17020-02, 17020-03, 17020-04, 17020-05, 17020-06, 17020-07, 17020-08, 17020-09 received on the 22nd October 2018

Proposed Plans: 101631-T-004 Rev A, 101631-T-003 Rev A, 17020-16 received on the 22nd October 2018, 17020-11 Rev B, 17020-12 Rev C, 17020-13 Rev B, 17020-15 Rev B, received on the 12th March 2019 and 17020-14 Rev C received on the 18th March 2019, 101631-T-005 Rev B received by the Local Planning Authority on the 20th March 2019 and 17020-10 Rev D received by the Local Planning Authority on the 21st March 2019.

Supporting Information: Planning Design and Access Statement received 22nd October 2018, Condition Appraisal of Redundant Agricultural Buildings (dated 22nd May 2017) received 22nd October 2018, Bat Roost Survey Report (dated January 2019) received 11th February 2019, Heritage Statement (dated July 2018) received 22nd October 2018, Transport Assessment Report (dated 20th August 2018) received 22nd October 2018, Arboricultural Impact Assessment (dated 25th January 2019) received 11th February 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

3. Notwithstanding the approved plans and prior to the commencement of the proposed works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless further consent in writing is given by the Local Planning Authority.

- Full details of any new hard landscaping materials, details of soft landscaping and boundary treatments that divide properties, details of brick piers to entrance;
- Details of the methodology utilised in repairing and applying new lime pointing to the historic wall and Plot 3,
- Details of the proposed ramp to proposed Plot 3 including details of any associated hand rail and balustrading;

- iv) Details of how the structural defects as raised in the Surveyor's report are to be dealt with, such as cracking to walls, roof reinforcement and rebuilding/ repair of walls;
- v) Full details consisting of sections at a minimum scale of 1:5 and elevations at 1:20, of all window joinery including exterior finish, glazing bar arrangement, method of opening and thickness of glazing panel;
- vi) Full details and location of proposed external pipes, vents and flues, including their colour and projection from the façade/roof.

Reason: To ensure the details and appearance of the development is satisfactory and to preserve the special interest of the conservation area and historic buildings

4. Prior to the occupation of any residential development hereby permitted, the boundary treatments shall have first been installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be retained in accordance with these approved details unless approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure the character and appearance of the development is acceptable.

5. Notwithstanding the submitted plans, the vehicular access to serve the new development shall not be brought into use until visibility splay lines have been submitted to and approved in writing by the LPA, extending from a point 2.4m back along the centre of the access (measured from the public road carriageway edge) to a point on the nearer carriageway edge of the public road 43m distant in both directions, and the area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between those points at a height of between 0.6m and 2.1m above the adjacent carriageway level.

Reason: To ensure that adequate visibility is provided for the duration of the use and maintained in the interests of highway safety.

6. The vehicular access to serve the new development shall not be brought into use until the passing bay is provided in accordance with dwg no.17020-10 Rev D and 101631-T-005 Rev B and shall thereafter be retained for as long as the development remains on site

Reason: In the interest of highway safety.

7. Construction work associated with the development hereby permitted shall only take place between 08:00 - 18:00 Monday - Friday and 08:00 - 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of amenity.

Reason: To ensure the details and appearance of the development is acceptable

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order), no development as specified in Schedule 2 Part 1 Classes A-H, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development and to safeguard the character and visual amenities of the area

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the garaging serving Plots 1, 4 and 5 shall be retained as an open car port and no garage doors shall be installed.

Reason: To preserve the special interest in the historic buildings

10. The proposed rooflights shall be of a 'conservation type' which finishes flush and does not protrude from the plane of the roof.

Reason: To preserve the special interest of the historic buildings and avoid an unsatisfactory appearance and clutter to the roof.

11. No glass other than obscure glass manufactured to a privacy level of 4 or above shall be used in the glazing of the first floor windows in the south side elevation of Plot 2 and the west side elevation of Plot 4.

Reason: In the interests of residential amenity.

12. Prior to the occupation of any residential unit hereby permitted, the vehicular parking facilities shall have first been provided in accordance with the submitted plan [drawing no 17020-10 Rev D], and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure adequate parking facilities are available within the site.

13. Prior to the occupation of any residential unit hereby permitted, cycle parking facilities shall have first been provided on site in accordance with the submitted plan [drawing no 17020-10 Rev D]. The bicycle parking facilities shall thereafter be kept available for such use at all times and for no other purpose.

Reason: To promote and encourage sustainable transport and travel.

14. Prior to the first occupation of the development hereby permitted, the bin storage areas shall have first been provided as per the approved plans and shall thereafter be retained for as long as the development remains on site.

Reason: In the interest of amenity.

15. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development begins.

Reason: To ensure any contamination of the site is identified and appropriately remediated.

16. In the event a remediation scheme is required as set out by the circumstances in Condition 15, the remediation scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

Reason: To ensure any contamination of the site is identified and appropriately remediated.

17. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure any contamination of the site is identified and appropriately remediated.

18. The development shall proceed in accordance with the bat mitigation scheme supplied with the application 'Bat Roost Survey Report (v6 Final Amended, Colmer Ecology, January 2019)', together with the ecology recommendations set out in Section 5, subject to any variation required by Natural England under the licence issued,

Reason: To safeguard and mitigate against harm to bats identified on site and in the interests of ecological enhancements.

19. Prior to the commencement of works on site, an external lighting strategy which includes details of lighting in the open garages, shall be submitted to and approved in writing by the Local Planning Authority in accordance with "Bats and artificial lighting in the UK" (Institute of Lighting Professionals, 2018).

Reason: To safeguard and mitigate against harm to bats identified on site

20. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall:

- i. specify the type and number of vehicles;
- ii. specify the point of construction access and access route to the site;
- iii. set out details of the parking of vehicles of site operatives and visitors;
- iv. set out arrangements for the loading and unloading of plant and materials;
- v. set out arrangements for the storage of plant and materials used in constructing the development;
- vi. set out arrangements for wheel washing facilities;
- vii. specify the intended hours of construction operations;

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development

21. Prior to the commencement of works on site in connection with the development hereby permitted, the trees shown for retention in the Arboricultural Impact Assessment & Method Statement dated 25th January 2019 shall have first been protected by the erection of temporary protective fences as shown in the Arboricultural Impact Assessment & Method Statement. The fencing shall remain until such time as, approval for removal, has been confirmed in writing by the Local Planning Authority.

Reason: To ensure that adequate protection is afforded to the trees on the site.

22. Prior to the commencement of works on site in connection with the development hereby permitted, a scheme of landscaping to include a planting schedule and timetable of works, shall have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented as per the approved timetable. Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted, shall be replaced by one of a similar size and the same species.

Reason: To ensure the appearance of the development is satisfactory.

(2) That application S/LBC/18/1710/CHHO be granted subject to the following conditions:

1. The works, for which this consent is granted, shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. This decision shall be in respect of the following drawing numbers, plans and information received by the Local Planning Authority:

Existing Plans: 17020-02, 17020-03, 17020-04, 17020-05, 17020-06, 17020-07, 17020-08, 17020-09 received on the 22nd October 2018

Proposed Plans: 101631-T-004 Rev A, 101631-T-003 Rev A, 17020-16 received on the 22nd October 2018, 17020-11 Rev B, 17020-12 Rev C, 17020-13 Rev B, 17020-15 Rev B, received on the 12th March 2019 and 17020-14 Rev C received on the 18th March 2019, 101631-T-005 Rev B received by the Local Planning Authority on the 20th March 2019 and 17020-10 Rev D received by the Local Planning Authority on the 21st March 2019.

Supporting Information: Planning Design and Access Statement received 22nd October 2018, Condition Appraisal of Redundant Agricultural Buildings (dated 22nd May 2017) received 22nd October 2018, Bat Roost Survey Report (dated January 2019) received 11th February 2019, Heritage Statement (dated July 2018) received 22nd October 2018, Transport Assessment Report (dated 20th August 2018) received 22nd October 2018, Arboricultural Impact Assessment (dated 25th January 2019) received 11th February 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

3. Notwithstanding the approved plans and prior to the commencement of the proposed works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity, unless further consent in writing is given by the Local Planning Authority.

- i) Details of the methodology utilised in repairing and applying new lime pointing to the historic boundary wall and historic building of proposed Plot 3,
- ii) Details of how the structural defects as raised in the Surveyor's report are to be dealt with, such as cracking to walls, roof reinforcement and rebuilding/ repair of walls where this applies to the historic boundary wall and proposed Plot 3;
- iii) Full details consisting of sections at a minimum scale of 1:5 and elevations at 1:20, of all window joinery including exterior finish, glazing bar arrangement, method of opening and thickness of glazing panel for the historic building of proposed Plot 3;
- iv) Full details and location of proposed external pipes, vents and flues, including their colour and projection from the façade/roof of the historic building of proposed Plot 3.
- v) Details of the materials and finishes to be used in the inside of the historic building of proposed Plot 3

Reason: To ensure the special character of the listed building and listed wall is preserved and enhanced.

4. All pointing, re-pointing and mortar beds to the historic boundary wall and the historic building of proposed Plot 3 shall be undertaken using NHL3.5 lime mortar at a ratio of 1 part lime to 3 parts sand.

Reason: To ensure the special character of the listed building and listed wall is preserved and enhanced.

5. The method of pointing and bedding of new and existing masonry to the historic boundary wall and historic building of Plot 3 shall be as follows:

- All raking out of old mortar shall be by hand;
- All new pointing shall be given a flush finish (not weather struck); and
- All pointing shall be pat finished and not smoothed by tooling.

Reason: To ensure the special character of the listed building and listed wall is preserved and enhanced and decay/erosion of the historic fabric does not escalate.

69. S/19/0147/SASM - Erection of 1no. dwelling and associated works, Land To The Rear Of The Rocks, The Avenue, Stanton Fitzwarren

In respect of application numbered S/19/0147/SASM - Erection of 1no. dwelling and associated works, Land To The Rear Of The Rocks, The Avenue, Stanton Fitzwarren the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Jeremy Flawn	Agent Jeremy Flawn

Councillors Alan Bishop, Toby Elliott, Fionuala Foley, Jane Milner-Barry, Stan Pajak, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The application was of a modernist design, attractive and had been well designed.
- The majority of the site was within the village policy boundary as defined in the Stanton Fitzwarren Settlement Boundary and therefore within an area where development was acceptable in accordance with Policy SD2 and a valuable self-build property in accordance with Policy HA1 and the NPPF.
- The application contributed towards meeting the Council's housing need and 5 year land supply.
- The application had been supported by Stanton Fitzwarren Parish Council and 16 local residents had also written in support of it with no objections received.
- The only objection had been from the Conservation Officer.
- Twenty years previously there had been a Dutch Barn located on the site.
- The proposed development would not be visible from the road although a recent barn conversion close to the site was.
- That given the history of development in the area of the village over the previous twenty years there was no detrimental effect arising from the proposed development.
- The site historically fell within a farm and the site had been occupied by a Dutch Barn and the site was developed and not open at the time of designation and the openness could not therefore be considered integral to the character or setting of the historical assets.
- There were no clear views relating to the Conservation Area across the site, looking out or rights of way.
- The development complied with the Design Policies in the NPPF that development should be sympathetic of character and history including built environment and landscape whilst not preventing innovation or change and had been drawn up with one of the country's leading Heritage Consultants.
- Very little counter evidence had been provided to dispute the applicants' Heritage Consultants report.
- The village comprised approximately 80 homes with a new property being built approximately every 5 years due to the extraordinary efforts required of developers.
- There were two solar farms within the village boundary with a third to be developed on the east side of the village and there had been an enquiry from PPS about a possible fourth solar farm within the Parish. The proposed development was also on the east side of the village and would looking towards these solar farms.
- The dwelling was sited within the Village Settlement Boundary, the design was discreet and well sited, used suitable materials, had a low roof height and solar panels and the site already had a garage.
- The architect had designed the last property built in the village which had featured in national magazines and been shortlisted for awards.

- The application and its location had been vetted by three Parish Council meetings which had helped shape the application before the Committee.
- The site was only visible through a 1 metre gap between 2 properties situated on the road, it was outside the Conservation Designated Area of Special Interest and was between 80 and 110 metres from the nearest Listed Buildings. The Village Conservation Plan had none of the village key views looking into the location of the proposed dwelling.
- The character of the village was along the road and not the discreet location of the development.
- The character of the buildings forming the village centre along the road were of mixed design and had been erected over a considerable time period.
- On balance, there was no “harm” arising from the development.

Submissions opposing the application can be broadly summarised as:

- The site was located within the Stanton Fitzwarren Conservation Area and is close to assets of acknowledged value including Listed Buildings which would neither be enhanced nor protected by the application.
- The amended NPPF guidance paragraphs 195 and 196 of the published in 2018 set out how applications affecting conservation area assets should be dealt with. The primary consideration was the harm such an application would have on those designated assets which may include Listed Buildings and Conservation Areas.
- NPPF Paragraph 197 also gave weight to non-designated conservation area assets which also formed part of the consideration of significance.
- If harm was found to the significance of those assets then this needed to be weighed against the public benefit the proposal would bring and if such public benefits did not outweigh any harm under national planning policy planning permission should be refused; if it did outweigh harm then the decision should be made on tilted balance and permission granted unless any adverse impact of the granting of planning permission significantly and demonstratively outweigh the benefits of the local and national planning policies.
- In determining harm under the 1990 Act and Paragraph 193 of the NPPF consideration should be given to the preserving or enhancing the character of the Conservation Area and great weight to the Heritage Assets Conservation regardless of whether this would lead to harm, total loss or less substantial harm to the assets.
- Conservation advice set out within the report was based upon the Council’s Conservation Area Appraisal indicated that harm would less than substantial although this still significant and weighed against the application.
- The application was for a single unit that did not meet any affordable need and tree planting proposed by the applicant was not a planning issue.
- The design of the building was out of character with other dwellings in the village.

Resolved - That the Head of Planning Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/19/0147/SASM subject to any conditions required to control the development.

Reasons

1. That the development as a result of its design and siting, would result in a scheme that is of acceptable appearance, and which supports the Conservation Area and the setting of adjacent Listed Buildings.

2. That the development would enhance the area and provide an additional home that is needed within the village to help meet the deficit in the Council's 5 year Housing Supply.

3. That the development would cause no overriding "harm" as it was not visible from the main road through the village and nor would it impact on the properties situated on the main road which formed the character of the village and supporting its Heritage Assets.

(Councillor Peter Watts made a personal declaration of interest in respect of this application. As the interest was personal but not prejudicial the Councillor Watts remained in the room during the discussion and voting on the application.)

70. South Marston Village Centre Design Brief

The Head of Planning, Regulatory Services and Heritage submitted a report summarising the work undertaken through the preparation of the South Marston Village Centre Design Brief setting out how the key facilities and infrastructure could be integrated and delivered at the new South Marston Village Centre, to support the new community and deliver sustainable development in accordance with national and local policy.

Resolved – (1) That the South Marston Village Centre Design Brief be endorsed as a framework for the delivery of the new South Marston Village Centre.

(2) That the Head of Planning, Regulatory Services and Heritage be authorised to undertake any necessary minor amendments to the Design Brief as required in accordance with the Swindon Borough Local Plan and NEV Planning Obligations SPD.

71. Re-launch of the Pre-application Advice Service

The Head of Planning, Regulatory Services and Heritage submitted a report seeking approval to introduce a revised pre-application advice fee structure and guidance that is transparent, and commits to a level of service that meets applicant's needs, provides certainty, improves efficiency in the overall planning service and meets total costs of providing the service.

Resolved – (1) That the Agrees to the introduction of the new Pre-application Advice Service in accord with the Pre-application Guidance Note and Fee Structure as set out in Appendix 1 to the report be approved.

(2) That the Pre-application Service Guidance Note be approved and the Head of Planning, Regulatory Services and Heritage be authorised to publish the protocol in the planning pages of the Councils Web site.

(3) That the Head of Planning, Regulatory Services and Heritage be authorised to make any minor or typographical changes as may be necessary prior to publication.

(4) That the Head of Planning, Regulatory Services and Heritage be authorised to refresh any forms required to operate the Pre-application Service in accordance with the Council's online forms and to amend the Pre-application Service Guidance Note to capture changes in process.

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PLANNING COMMITTEE

TUESDAY, 11 JUNE 2019

PRESENT: - Councillors Timothy Swinyard (Chair), John Ballman, Alan Bishop, Nick Burns-Howell, Malcolm Davies, Steph Exell, Robert Jandy, Jenny Jefferies, Nick Martin, Jane Milner-Barry, Stan Pajak, James Robbins, Vera Tomlinson and Peter Watts.

An apology for absence was received from Councillor Paul Dixon.

1. 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.

Councillor Steph Exell made a personal and prejudicial declaration of interest in respect of application numbered S/18/1546/RM and left the room during the voting on the application.

2. Minutes

Resolved – That the minutes of the meeting held on 9th April 2019, be confirmed and signed.

3. Public Question Time

The Committee received public questions in respect of (a) what planning policies the Council was implementing to reduce carbon emissions, (b) what planning policies the Council would introduce to improve insulation on properties, the budget for such work and how many properties this would cover in the coming year, (c) what environment audit checks were being conducted by the Council in respect of planning applications, (d) whether the Planning Committee, on behalf of the Council, was willing to be pro-active in tackling climate change issues, (e) whether the Committee was sure that all applications granted would reduce carbon emissions, and (f) the time periods for consultation on applications and policies.

The Chair and Officers responded at the meeting and indicated that if the questioners provided the Committee Officer with their names and addresses, or provided the questions in writing, a more detailed written response would be provided.

4. S/18/1546/RM - Erection of a canopy and siting of storage container to existing car park for use as car wash/valeting bays, The Boundary House , 1 The Street, Moredon, Swindon

In respect of application numbered S/18/1546/RM (Erection of a canopy and siting of storage container to existing car park for use as car wash/valeting bays, The Boundary House, 1 The Street, Moredon, Swindon) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Michelle Rupnarin	Local Resident
Councillor David Renard	Ward Councillor

Councillors Alan Bishop, Malcolm Davis, Stan Pajak, Jim Robbins, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- Following work with the applicant the Council's Environmental Health team found the application acceptable, subject to conditions to ensure the amenity of local residents was protected.
- Drainage issues had been addressed and subject to conditions the drainage engineer was content with the application.
- Highways officers were satisfied that there was sufficient car parking on the site for both the Public House and Car Wash.
- There were no policy objections to the scheme and objections could be overcome through the imposition of conditions.
- Noise from the operation of a car wash should be kept to an acceptable level with an acoustic report required and noise mitigation measures to be put in place prior to the commencement of activities.

Submissions opposing the application can be broadly summarised as:

- The site was surrounded on three sides by residential properties which made the location inappropriate for the use proposed.
- Other car washes in north Swindon were located close to commercial properties and some distance from residential properties.
- There were concerns regarding drainage and noise.
- The suitability of the application should be seen in the light of the fact that none of the conditions were proposed in order to make it acceptable.
- There would be a clear loss of amenity for local residents should the application be granted.
- Objections to the application had been received from Ward Councillors, the Parish Council and local residents and these were referred to within the officer's report.
- A number of changes to the site's drainage would be required to conform to National Planning Policy, Local Planning Policy and best practice design guidance.
- There has been no noise assessment undertaken and the significance of this increases given the close proximity of residential properties and the long hours of operations proposed.
- There were concerns as to whether water spray from the operation of the car wash would affect neighbouring properties and whether such water would include chemicals.

- That assurance set out within the report were not considered credible by local residents.
- A previous application for a vending vehicle had been turned down because of the concern of the loss of amenity to residential properties in close proximity.
- Over the past twenty years the local area had seen considerable development including an elderly Persons Group Dwelling, a large doctor's surgery and a new housing estate which has created local congestion and associated pollution and this will be further exasperated in the application were granted.
- There were already 15 car wash sites in the town and another on an unsuitable site was not needed.
- The proposed operational hours of the car wash were also core hours for the public house which was a quiet pub that held functions during the day which would affect car parking availability on site having a knock-on effect for local residents as car-parking was pushed into nearby residential streets.
- Local properties and a children's play area directly looked over the site and people ate and drunk in the pub's gardens and would be subject to spray containing chemicals.
- Staff would be using protective clothing, local residents and pub patrons would not have access to these.
- Due to the cost the company running the car wash would be using industrial chemicals, albeit watered down affect the water spray from the site.
- People from the public house would be smoking in close proximity to chemicals.
- Chemicals from the car wash would adversely affect local wildlife including bees, butterflies, birds and bats some of which were on the endangered list.
- Local residential properties already suffered from low water pressure with old infrastructure and the car wash would almost certainly worsen this situation.
- Noise emanating from the operation of a car wash would adversely affect the amenity of local residents, especially adjoin properties.
- The quality of waste water was of concern as was the current surface water drainage of the site with the car park being the subject of standing water after rain.
- Work needed to be undertaken to establish were the drainage would be diverted and the potential effect on the local environment.

Resolved – That application S/18/1546/RM be refused for the following reason:

Reasons

1. The proposed development by reason of its location and activities associated with that use, will be likely to give rise to an adverse impact upon the amenity enjoyed by the occupants of nearby dwellings to the detriment of their living conditions contrary to Policy DE1 of the Swindon Local Plan.

(Councillor Steph Exell made a personal and prejudicial declaration of interest in respect of this application and left the room during the voting on the application.)

5. S/HOU/19/0196/FELY - Erection of a first floor front extension, 15 Whitefield Crescent, Peatmoor, Swindon

In respect of application numbered S/HOU/19/0196/FELY (Erection of a first floor front extension, 15 Whitefield Crescent, Peatmoor, Swindon) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Connor Thompson	Applicant
Councillor David Renard	Ward Councillor

Councillors John Ballman, Nick Martin, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- Materials proposed for the development were matching and care had gone into the application.
- The application was to allow the family to remain in their home as the applicants were expecting a child and in order to allow family to visit.
- An extension at No.2 Whitefield Way was of a similar build and design.

Submissions opposing the application can be broadly summarised as:

- The proposed first storey extension would project significantly from the main residence and would form a dominant feature to the street scene and approach to the property.
- The proposed extension would not in scale to its surroundings.
- The design was contradictory to Supplementary Planning Documents and would impact the amenity of 14 Whitefield Crescent through the loss of light to its living area.
- The addition of a further floor to the current garage would be overbearing.
- Other development in the locality were undertaken prior to the adoption of the current Supplementary Planning Documents and were of a different orientation.
- The concern relating to the loss of amenity was for current and future occupiers.

Resolved – That application S/HOU/19/0196/FELY be refused.

Reason

The proposal is contrary to Policy DE1 of the Swindon Borough Local Plan 2026 (2015), the Residential Extension and Alteration Supplementary Planning Document (2011) and the National Planning Policy Framework (2019) as by reasons of its

scale, appearance, prominent location and poor design. It is considered that the addition would be oppressive and have an overbearing impact that would result in harm to the residential amenity enjoyed by the occupants of No.14 Whitefield Crescent.

6. S/18/1617/SASM - Installation of a 7.5MW flexible generation plant, 2.4 metre security fence and associated works, Land At Wood Farm, Swindon Road, Wroughton

In respect of application numbered S/18/1617/SASM (Installation of a 7.5MW flexible generation plant, 2.4 metre security fence and associated works, Land At Wood Farm, Swindon Road, Wroughton) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
John Colombi	Applicant
Jennifer Joule	Agent
Jammie Taylor	Local Resident
Councillor Cathy Martyn	Ward Councillor
Councillor Brian Ford	Ward Councillor

Councillors Steph Exell, Jane Milner-Barrie, Stan Pajak, Jim Robbins and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The application was for a flexible low carbon generation plant involving the installation of four generators.
- The facility would burn mains gas to generate electricity to the local grid to meet short term demand fluctuations and would be distributed locally.
- The application met the requirement of Policy SD2 of the Local Plan to support development outside of the settlement boundaries.
- Policy IN4 production of low carbon energy and infrastructure was not defined in the Local Plan but was within the Paragraph 1.48 of the MPPF.
- The question was one supporting low carbon infrastructure to support peak demand periods rather than the production of low carbon electricity.
- This type of infrastructure had been regarded as Carbon Energy Infrastructure by the Planning Inspectorate and Policy IN4 subject to an assessment of its social and economic benefits, impact on the benefit to local communities and its environmental impact.
- Following the submission of impact assessments by the applicant there were no outstanding objections from Council Officers subject to conditions applied to the application.
- The application was compliant with the relevant policies within the Local Plan.
- The application supported renewable energy generation, such as wind or solar, which could not be relied upon to produce electricity when required

throughout the year and their output can change quickly and large scale power station could take a number of hours to become operational.

- Due to the cost of burning Natural Gas the generators would only be operational for a limited time each week.
- The Government and National Grid recognised the need and role of local power generation and in ensuring energy demand is met in the future.
- The application was for back-up generators that would only be used for limited time during peak demand or loss of nationally produced power.
- That schemes such as the proposed application were key to moving away from the use of major generating plants and in decarbonising energy.
- Technologies such as battery storage were not yet capable of guaranteeing energy supply and projects like this were needed in the transition to a dynamic low carbon grid.
- There was a clear officer recommendation for approval and this recommendation had been considered against national and local planning policy and neighbourhood plans and given it was low carbon infrastructure development was supported by the Council's Development Plan.
- There were no objections from Council Officers, Statutory consultees or the Parish Council and Natural England had raised no concerns.
- The term power station vastly over-stated the scale and impact of the proposed development which was a small scale scheme operating on a limited basis when there is insufficient energy being produced and its air quality and noise impact are low.
- Conditions were proposed to deal with noise and environmental issues.

Submissions opposing the application can be broadly summarised as:

- An on-line petition containing 91 signatures from Swindon and further afield had been received opposing the application.
- A late objection from the Wiltshire Branch of the Campaign to Protect Rural England on the grounds that the proposal was not renewable or low carbon, visible impact concerns and insufficient noise conditions to protect neighbours, the impact on the Berkley Farm housing and that it should be located on an industrial estate.
- The site was with a farm and access would require the removal of some hedge way.
- The development was not farm diversification under the meaning of Policy EC5 as the land would be rented with no further involvement in the activities.
- Gas was a fossil fuel and the country was trying to reduce its use of fossil fuels, indeed Swindon Borough Council had been successful in the installation of solar farms which supplied the local grid in the case of electricity shortage.
- The application could adversely affect those properties anticipated to be built as part of Wroughton's future expansion.
- The access for the site was Swindon Road in the middle of Wroughton and could not therefore be considered a rural site.
- The Prospect Hospice and local residential properties would be subjected to noise from the generator during its operation.
- The development was neither sustainable nor environmentally friendly, nor did it positively impact climate change as it burnt mains gas which was not a renewable energy source, was inefficient, nor did it constitute low carbon technology.

- The application was in effect an industrial unit placed close to residential units.
- There were no guarantees as to the annual operating hours or times of operation nor limits in place on its operation.
- The site was unsuitable due to the noise of operation being so great it required noise attenuation measures in the form of four meter acoustic barrier.
- The chimneys were higher than the proposed screening measures so would adversely affect the visual amenity of the area.
- The application cannot be considered farm diversification under Policy EC5.
- The measuring point of noise assessments and enforcement action, if required, were not properly addressed within the application.
- The effect of heat inversion was not adequately addressed within the application.
- The application was unsustainable, the site was unsuitable, there would be an unreasonable noise impact on existing and future neighbours, it would contribute to climate change, it uses fossil fuels, and did not contribute to the Council's vision to reduce Swindon's carbon footprint.
- Previous applications of this nature within the Borough had been refused.
- Conrad Energy's handbook for landlords suggests development away from residential areas and/or industrial or commercial zones and their own assessment stated that noise generated overnight would be above the level of significant adverse impact and that no further mitigation is possible.
- Experience from similar developments around the country that have led to issues with low frequency noise which can penetrate the walls of residential properties.
- That if approved the electric generation would be undertaken on a 25 year contract which would complicate any remedial actions if required.
- The production of electricity on the scale proposed would be inefficient and produces carbon dioxide, methane and nitrogen dioxide.
- Demand flexibility and storage were more economically and environmentally appropriate means of meeting peak demand for electricity.
- Monitoring of noise levels would only be undertaken by the Council following noise complaints.

Resolved – That application numbered S/18/1617/SASM be refused.

Reasons

1. It has not been sufficiently demonstrated to the satisfaction of the Local Planning Authority that noise levels and disturbance produced during the flexible power plant's operation would not harm the residential amenity of nearby residents contrary to Policies DE1 (c) and EN7(a) of the Swindon Borough Local Plan 2026 (2015).
2. The proposed development by reason of its appearance and proposed height of the acoustic screening would comprise an intrusive feature in the rural landscape and cause harm to the character and appearance of the area contrary to Policy DE1 of the Swindon Borough Local Plan 2026 (2015).
3. The proposal does not represent farm diversification and accordingly represents inappropriate development in the countryside and therefore is not in accordance with Policy EC5 of the Swindon Borough Local Plan 2026 (2015).

(Councillor Peter Watts made a non-prejudicial Declaration of interest in respect of this item in his capacity as a non-executive Director of Public Power Solutions.)

7. S/18/1403/TB - Erection of up to 100no. dwellings and associated works without compliance with condition 11 of consent S/OUT/14/1005, Land at Berkeley Farm, Swindon Road, Wroughton

In respect of application numbered S/18/1403/TB (Erection of up to 100no. dwellings and associated works without compliance with condition 11 of consent S/OUT/14/1005, Land at Berkeley Farm, Swindon Road, Wroughton) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Jammie Taylor	Local Resident
Hannah Dosanjh	Wroughton Parish Council
Councillor Cathy Martyn	Ward Councillor
Councillor Brian Ford	Ward Councillor

Councillors Nick Burns-Howell, Malcolm Davies, Jenny Jefferies, Nick Martin, Stan Pajak, Jim Robbins, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- That the application was approved following an appeal to the Planning Inspectorate and Reserved Planning Matters were subsequently approved.
- The application was to amend the trigger point for the installation of a pedestrian crossing to the construction of 95 dwellings rather than occupation of dwellings and to clarify the planning obligation.
- That the Planning Authority needed to be reasonable and practical in agreeing and enforcing conditions at an initial stage.
- The development was approved through an appeal to the Planning Inspectorate followed a failure to demonstrate a 5 year housing land supply.
- That an agreement of a trigger point for the construction of a crossing provided the Local Planning Authority will more control in an enforcement scenario.

Submissions opposing the application can be broadly summarised as:

- That the developer should have provided a crossing when properties were occupied and they had failed to do and therefore failed in their planning obligation.
- That there was a safety issue due to the absence of a crossing as this would increase with the number of properties being occupied.
- That initially the developer had applied to remove the requirement of a crossing from the planning permission granted.

- A crossing was needed opposite the Lister's estate which is where school children would cross the road which is a busy road.
- That the crossing should be in the form of a zebra crossing with an island in the middle of the road.
- That enforcement action should be taken against the developer in accordance with Section 58 of the National Policy Framework following a temporary 28 day stop notice under Section 171(e) of the Town and Country Planning Act 1990.
- The development was outside of Wroughton's settlement boundary and not identified in the Neighbourhood Plan as access to the village's facilities required either crossing a busy road or using a car thus making the site unsustainable.
- The site was an overdevelopment of the site and was one of a number of developments off Swindon road and the increase in the number of properties could act as a precedent.
- The trigger point for the installation of a crossing for the development had been proposed by the developer and had not been agreed on highway safety grounds and that officers should investigate lowering the trigger point for the pedestrian crossing below the proposed 95th Dwelling.
- There was an expectation that conditions attached to planning consents would be carried out in their entirety.
- The concern that should the development be delayed for any reason this would further delay the installation of a pedestrian crossing.

Resolved – That consideration of application numbered S/18/1403/TB be deferred in order to allow the Head of Planning, Regulatory Services and Heritage to undertake further discussions with the developer (Linden Homes (Thames Valley)) to secure a more appropriate trigger point for the provision of the crossing conditioned as part of the planning permission granted upon appeal by the Planning Inspectorate.

8. S/18/1774/TB - Erection of 44 dwellings and associated works, Berkeley Farm, Swindon Road, Wroughton

The Committee considered application numbered S/18/1774/TB (Erection of 44 dwellings and associated works, Berkeley Farm, Swindon Road, Wroughton).

Resolved – That application S/18/1774/TB be deferred pending the outcome of discussions in respect of application S/18/1403.

9. S/OUT/19/0218/TB - Outline application for the erection of 1 no. dwelling (access and layout not reserved), Ringstones, 1 Kingsdown Lane, Blunsdon

In respect of application numbered S/OUT/19/0218/TB (Outline application for the erection of 1 no. dwelling (access and layout not reserved), Ringstones, 1 Kingsdown Lane, Blunsdon) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

Name

Address/Organisation

Andrew Miles
Ian Jankinson

Agent
Blunsdon Parish Council

Councillors Alan Bishop, Stan Pajak and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- That whilst the proposed development fell outside of the Blunsdon Settlement boundary it was surrounded by other residential and commercial developments on three sides.
- That resulting in the shortage in the housing land supply the fact that development fell outside of the Blunsdon Settlement boundary was not in itself reason for refusal.
- The adverse impact of permitting the development was not considered to significantly and demonstrably outweigh its benefits.
- The density of the development would be the equivalent of 11 house per hectare which was considerably lower than other recently approved developments within the Parish.
- The potential loss of privacy to adjoin properties is mitigated through the design of the development.
- The loss of sunlight to the neighbouring garden was only for a short period in the afternoon and couldn't therefore sustain an objection especially given the retention of the current vegetation on the boundary.
- There is no current planning policy prohibiting the current proposed development.
- There are no objections from Council officers to a development that is sustainable and responds to the local context.

Submissions opposing the application can be summarised as:

- The application was contrary to Policy SD2 of the Swindon Local Plan.
- The application could not be considered as Brown Field Development.
- There was a history of foul water drainage issues in the area arising from properties in the locality into the ditch in the front of the proposed development.
- The development should be considered as back land development in accordance with the Swindon Residential Design Guidance.

Resolved – That application S/OUT/19/0218/TB be granted subject to the following conditions:

1. This approval shall be in respect of the site location plan received by the Local Planning Authority on 8th February and drawing number LPC,4583,19,01 A received on 19th March 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

2. Prior to the commencement of works on site in connection with the development hereby permitted, details of the scale, appearance and landscaping (hereinafter

called "the Reserved Matters") shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990.

3. Application for the approval of the Reserved Matters referred to in condition 2 above, shall be submitted in writing to the Local Planning Authority before the expiration of 3 years from the date of this permission and shall be carried out in accordance with the approval.

Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be commenced either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

5. The material submitted with the landscaping reserved matters shall include: i) Details of the species, location, diameter, approximate height, and general state of health and stability, of every tree, bush or hedgerow on the site which is to be retained and of each tree, bush or hedgerow which is on land adjacent to the site and to which paragraphs ii), iii), iv) and v) below shall apply; ii) No tree, bush or hedgerow which is to be retained and which has been identified in paragraph i) above, shall be topped, lopped, felled, destroyed or wilfully damaged, including any severance of its roots without the prior written consent of the Local Planning Authority; iii) No materials, plant, soil or spoil shall be stored underneath, and no burning of materials shall take place, within the furthest extent of the canopy of any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above without the prior written consent of the Local Planning Authority; iv) Details of the specification and position of fencing and of any other measures to be taken for the protection of any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above. Such fencing or any other measures shall be retained until the approved development has been completed or the Local Planning Authority has approved, in writing, that such fencing or any other measures may be removed; v) All works to protect any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above shall be carried out in accordance with BS 5837(2012); vi) A planting plan and timetable of works for the soft landscaping of the site; all works shall be carried out in accordance with the approved plan and timetable; and any trees or plants, which within a period of five years from first being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation; and vii) details of fencing and boundary treatments.

6. No development comprising the erection of any dwelling above ground level shall take place until full details of the slab levels of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

7. No development shall take place, including any site preparation works, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. specify point of construction access and access route to the site;
- iii. provide for the parking of vehicles of site operatives and visitors;
- iv. provide for the loading and unloading of plant and materials;
- v. provide for the storage of plant and materials used in constructing the development;
- vi. provide for wet wheel washing facilities;
- vii. specify the intended hours of construction operations;
- viii. measures to control the emission of dust and dirt during construction.

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development

8. The allocated private car parking spaces for each unit (Ringstones and the new dwelling) plus the associated turning space shown on the approved plan, shall be laid out and made available for use prior to the development hereby permitted. These spaces shall thereafter be retained only for the parking of motor vehicles in connection with the development hereby permitted and Ringstones.

Reason: In the interests of highway safety.

9. Construction and demolition works associated with the development hereby permitted shall only take place between 0800 hours to 1800 hours on Mondays to Fridays and 0900 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity.

10. Development shall not commence above ground level until details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with these approved details.

Reason: To ensure that the appearance of the development is satisfactory

11. Adequate and appropriate provision for foul and surface water drainage within the site must be made so that none discharges onto the highway or adjacent land.

Reason: In the interests of highway safety and amenity.

12. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted Site Plan [drawing no. LPC,4583,19,01 Rev A] with any gates hung so as not to open outwards towards the public highway and with the area of driveway within at least 6m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out.

10. S/HOU/19/0399/RM - Erection of a replacement garage linked to main house and new 1.8m high boundary wall and fence, Eldswyn, Kingsdown Lane, Blunsdon

In respect of application numbered S/HOU/19/0399/RM (Erection of a replacement garage linked to main house and new 1.8m high boundary wall and fence, Eldswyn, Kingsdown Lane, Blunsdon), Ringstones, 1 Kingsdown Lane, Blunsdon) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Bob Keech	Agent
Ian Jankinson	Blunsdon Parish Council

Councillors Alan Bishop and Nick Martin spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- There were no policy, highway or neighbour objections to the application and officers did not consider the application to constitute overdevelopment of the site.
- The garage is already an existing structure and the extension was relatively small and linked the garage to the house.
- The gate and wall were solely for security purposes.

Submissions opposing the application can be broadly summarised as:

- Planning permission for a first floor extension and porch was granted in 2016 although this has not yet been built and together with the current application and the application for a single storey annex to the rear on a relatively small plot would constitute over intensification of use of the site.

Resolved - That application numbered S/HOU/19/0282 be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

2. The accommodation to be provided within the annex hereby approved shall remain as permanently ancillary accommodation to the principal dwelling at Eldswyn, and shall be occupied only by persons of the same household and the building shall not

be let or rented to any other person(s). There shall be no subdivision of this single residential planning unit.

Reason: The site is unsuitable to accommodate an additional residential unit
3. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing building. Such facing materials shall be retained thereafter in their approved form.

Reason: To ensure that the appearance of the development is satisfactory.

4. This approval shall be in respect of site plan and drawing no. 19/009 received by the Local Planning Authority on 20 February 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

5. Notwithstanding the submitted details, work for the construction of the annexe shall not commence until a scheme for the disposal of surface and foul water has been submitted to and approved in writing by the LPA. The development shall take place in accord with the details so approved.

Reason: To ensure adequate provision is made for drainage, in the interests of amenity.

11. S/HOU/19/0282 - Erection of a detached single storey annex to rear, Eldswyn, Kingsdown Lane, Blunsdon

In respect of application S/HOU/19/0282 (Erection of a detached single storey annex to rear, Eldswyn, Kingsdown Lane, Blunsdon) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Bob Keech	Agent
Ian Jankinson	Blunsdon Parish Council

Councillors Stan Pajak and Vera Tomlinson spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- There were no policy, highway or neighbour objections to the application and officers did not consider the application to constitute overdevelopment of the site.
- The detached single storey annexe it was not considered to have an adverse effect on the surrounding area as it was set away from neighbouring properties.

- The annexe had no kitchen as it was usual for annexe applications to be reliant on the main house and not an independent unit.
- There was an existing septic tank on site which could be used by the annexe.
- When the side extension was completed it would mean that there would only be pedestrian access to the annexe and therefore hard to get separate title for the annexe.
- The design, whilst not usual was in keeping with the main building.

Submissions opposing the application can be broadly summarised as:

- Planning permission for a first floor extension and porch was granted in 2016 although this has not yet been built, together with the previously considered application and the application for a single storey annex to the rear on a relatively small plot the Parish Council considered this would constitute over intensification of use of the site.

Resolved – That application numbered S/HOU/19/0282 be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

2. The accommodation to be provided within the annex hereby approved shall remain as permanently ancillary accommodation to the principal dwelling at Eldswyn, and shall be occupied only by persons of the same household and the building shall not be let or rented to any other person(s). There shall be no subdivision of this single residential planning unit.

Reason: The site is unsuitable to accommodate an additional residential unit.

3. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing building. Such facing materials shall be retained thereafter in their approved form.

Reason: To ensure that the appearance of the development is satisfactory.

4. This approval shall be in respect of site plan and drawing no. 19/009 received by the Local Planning Authority on 20 February 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

5. Notwithstanding the submitted details, work for the construction of the annexe shall not commence until a scheme for the disposal of surface and foul water has been submitted to and approved in writing by the LPA. The development shall take place in accord with the details so approved.

Reason: To ensure adequate provision is made for drainage, in the interests of amenity.

12. S/HOU/19/0492/RM - Erection of a two storey extension, North Farm

**Barn, South Side, 2A Trenchard Road, Swindon and S/LBC/19/0493/RM
- Erection of a two storey extension, North Farm Barn, South Side, 2A
Trenchard Road, Swindon**

With the agreement of the Committee, Agent and Tom Charnock, Parish Councillor, agenda items 14 and 15 were considered together.

In respect of application numbered S/HOU/19/0492/RM (Erection of a two storey extension, North Farm Barn, South Side, 2A Trenchard Road, Swindon), and /LBC/19/0493/RM (Erection of a two storey extension, North Farm Barn, South Side, 2A Trenchard Road, Swindon) the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Howard Waters	Agent
Councillor Steve Weisinger	Ward Councillor
Tom Charnock	Stanton Fitzwarren Parish Council

Councillors Alan Bishop, Steph Exell and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The application for a two storey extension would join the two existing buildings which were both Grade II Listed Buildings and would form an “L” shaped footprint.
- Paragraph 1.96 of the NPPF states where there is less than substantial harm these should be weighed against the benefits and optimal use of the asset.
- Initially there was one objection in principle however that has now been withdrawn as the applicant has agreed to provide screening for the neighbour and agreed for that to be put in as a condition of the development if it is approved this evening. Highways have no objections to this application as it is an extension to a property.
- The views of the Council’s Conservation Officer were considered to be negative by the applicant and his agent.
- The barn had previously been converted to a residential property.
- The proposed extension as a result of its design and siting, would result in a scheme that is of acceptable appearance, and which supports the Conservation Area and the setting of adjacent Listed Buildings.
- There had been a recent barn conversion with a brand new property erected next to it which is on the main road, this proposed extension was not.
- The application was supported unanimously by Stanton Fitzwarren Parish Council, which took great care in scrutinising planning applications and in protecting the local environment and village setting.

- The application had been considered by the Parish Council on three separate occasions and accepted the applicant's Heritage Statement as being a comprehensive document meeting all the statutory requirements.
- The architect of the scheme was experienced in design work for Listed Buildings, well qualified and a member of the RIPA conservation register and a Governor of Wiltshire Historic Buildings Trust.
- The scheme enjoyed a high level of local support.
- Full plans had been submitted to the Local Planning Authority although all of these did not appear in the report.
- The Heritage Report prepared by the architect had not been properly represented by officer comments and the report, the architect drew Members' attention to the following: that the building was largely rebuilt when converted so it's a Listed Building in name only, the conservation used materials on site and new materials from off-site, matching double roman clay tiles would be used in the extension, the extension was clearly lower than the existing barn to which the extension was attached, the extension was in line with good practice and Council policies, the extension would be largely out of view and facing into a courtyard, the extension would represent a gradual development of the existing buildings using traditional materials, and the application was high quality using traditional materials and therefore would enhance the local area.
- The only visual impact was from the bottom of a neighbour's garden and a simple course of planting had been agreed to mitigate this.
- The applicant, who had need of an additional bedroom, had owned the property for a considerable time and he and his family used the village's facilities and school.
- The application would help enhance a quality home within the Borough and therefore be a public benefit.

Submissions opposing the application can be broadly summarised as:

- The Council's Conservation Officer had raised concerns relating to Designated Heritage Assets which did not enhance the buildings or setting and which needed to be weighed against the public benefits of the proposal or which would mitigate the harm to the Heritage Asset and whether the works proposed were the minimum required to ensure the continued use of the asset.
- Paragraph 1.96 of the NPPF states where there is less than substantial harm these should be weighed against the benefits and optimal use of the asset.
- The Local Plan sought to protect the character of the asset and local context and ensure the design and materials were appropriate for the significance and settings.
- The proposed extension was taller than the existing barn and would hide features of the barn.
- There were no benefits to the extension other than for the owner of the barn and no public benefits to outweigh the less than substantial harm caused to the barn and listed building.
- The existing barns are characterised by their simple design reflecting the agricultural nature of the buildings and the proposed work would fail to preserve the buildings or features of historical or architectural interest which it possesses and is therefore inappropriate.

- Too much of the Borough's historical buildings were being lost to inappropriate development.
- The NPPF described two forms of harm in respect of Listed Building Substantial Harm which referred to the demolition or near demolition of a Listed Building and Less than Substantial Harm which covered everything else and so Less than Substantial Harm should still be given appropriate weight when reaching a decision.

Resolved – (1) That application numbered S/HOU/19/0492/RM be refused for the following reasons:

1. The proposed scheme, as a result of the design, visual massing and siting, would result in an incongruous, prominent form of new development that has an unacceptable appearance which causes harm to the simple form and function and layout of the listed building which is key to its significance and how it is experienced within the setting of the listed farmhouse and the Conservation Area. The proposal would, therefore fail to preserve the traditional and agricultural local character and distinctiveness of the area and fails to make a positive contribution to the locality. Which is contrary to paragraph 127 of the NPPF and policies DE1 and EN10 of the Local Plan.

2. The proposed development would result in less than substantial harm to the significance of the designated heritage asset (the grade II listed property). There are no public benefits of sufficient weight to override the harm caused. As such the proposed development is contrary to paragraph 196 of the National Planning Policy Framework 2018 (NPPF).

(2) That application numbered S/LBC/19/0493/RM be refused for the following reasons:

The proposed scheme, as a result of the design, visual massing and siting, would result in an incongruous, prominent form of new development that has an unacceptable appearance which causes harm to the simple form and function and layout of the listed building which is key to its significance and how it is experienced within the setting of the listed farmhouse and the Conservation Area. The proposal would, therefore fail to preserve the traditional and agricultural local character and distinctiveness of the area and fails to make a positive contribution to the locality. Which is contrary to paragraph 127 of the NPPF and policies DE1 and EN10 of the Local Plan.

The proposed development would result in less than substantial harm to the significance of the designated heritage asset (the grade II listed property). There are no public benefits of sufficient weight to override the harm caused. As such the proposed development is contrary to paragraph 196 of the National Planning Policy Framework 2018 (NPPF).

13. Parking Standards for New Development (SMTPDS&W)

The Service Manager, Transport Planning, Development and Street Works Management submitted a report seeking approval for the draft Parking Standards for New Developments within the Borough to be approved for public consultation.

Resolved – That the draft Parking Standards 2019 attached at Appendix 1 to the report of the Service Manager, Transport Planning, Development and Street Works

Management be approved for consultation.

(2) That the Service Manager, Transport Planning, Development and Street Works Management be authorised to undertake a Public Consultation exercise to secure feedback from a range of stakeholders.

(3) That Committee the Service Manager, Transport Planning, Development and Street Works Management, in consultation with the Chair of the Planning Committee, be authorised to make minor typographical and factual corrections to the document if required in advance of publication.

14. Protocol for Dealing with Planning and Related Applications and Local Planning and Related Application Validation Lists (HPRS&H)

The Head of Planning, Regulatory Services and Heritage submitted a report seeking approval for dealing with planning and related applications.

Resolved - (1) That the protocol and the additional clarification contained therein, including the change to how representations are titled when published on public access be noted.

(2) That the procedures set out in Appendix 1 to the report of the Head of Planning, Regulatory Services and Heritage be approved for the purpose of consultation on planning and related applications ("consultation protocol").

(3) That approval be given to the circulation of consultation protocol to all Borough Councillors for information and that they be reminded of the obligation that where they request an application be determined by the planning committee that they do so in writing within the prescribed timescales and the request must provide reasons for the request.

(4) That approval be given to the circulation of the consultation protocol to all Parish and Town Councils for information and that they be reminded of the obligation that where they request an application be determined by the planning committee that they do so they do so in writing within the prescribed timescales and that reasons be given for the request as to why a particular application is considered to raise significant planning issues or is locally controversial.

(5) That the Local Application Validation Lists be approved and the Head of Planning, Regulatory Services and Heritage be authorised to review and amend them as necessary, or at least on a biannual basis, and to publish them on the council's web site.

(6) That the Protocol be approved and the Head of Planning, Regulatory Services and Heritage be authorised to review and amend the protocol as necessary, or at least on a biannual basis, and publish the protocol in the planning pages of the Councils Web site.

(7) That the Head of Planning, Regulatory Services and Heritage be authorised to make any minor or typographical changes as may be necessary to the documents set out within the report.

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LICENSING COMMITTEE

THURSDAY, 14 MARCH 2019

PRESENT:- Councillors Vera Tomlinson (Chair), Abdul Amin, Alan Bishop, Malcolm Davies, Paul Dixon, Steph Exell, Fionuala Foley, Nick Martin, Brian Mattock, Imtiyaz Shaikh, Caryl Sydney-Smith, Rahul Tarar and Nadine Watts.

Apologies for absence were received from Councillors John Ballman and Peter Watts.

28. 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.

29. Minutes

Resolved – That the minutes of the meeting held on 17th December 2018 be confirmed and signed as a correct record.

30. Public Question Time

At the invitation of the Chair, Mr Des Broxter, Mr Andrew Lucas and Mr Mark Newton made representations in respect of the report on the consideration of the Council's policy to allow licence holders to work for more than one operator at a time.

31. Consideration to review licensing policy to allow licence holders to work for more than one operator at a time

The Committee considered (a) a report of the Council's Licensing Manager reviewing the Council's policy to allow licence holders to work for more than one operator at a time, an (b) the public representations made under public question time, and (c) written representations received from SN1 Cars.

Resolved – That Licensing Manager be authorised to undertake a public consultation in respect of the Council's policy to allow licence holders to work for more than one operator at a time and submit a report to this Committee setting out the results of the public consultation.

32. Review of conviction and caution policy in respect of Hackney Carriage and Private Hire Drivers

The Council's Licensing Manager submitted a report seeking authority to adopt the Institute of Licensing's Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades.

Resolved – (1) That the Institute of Licensing's 'Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades' be approved and this policy replace the Council's current policy in respect of convictions in respect of hackney and private hire drivers.

(2) That Council's the Licensing Manager be authorised to continue officer

delegation to assess new and existing drivers in accordance with the guidelines and take appropriate action in order to safeguard the fare paying public.

LICENSING COMMITTEE

FRIDAY, 17 MAY 2019

PRESENT:- Councillors Abdul Amin, John Ballman, Alan Bishop, Malcolm Davies, Paul Dixon, Steph Exell, Emma Faramarzi, Nick Martin, Brian Mattock, Garry Perkins, Imtiyaz Shaikh, Caryl Sydney-Smith, Vera Tomlinson, Nadine Watts and Peter Watts.

1. Declarations of Interest

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

2. Minutes

Resolved – That the minutes of the meeting held on 14th March 2019, be confirmed and signed as a correct record.

3. Public Question Time

No public questions were received during the meeting.

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

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

5. Appointment of Sub-Committees and Panel

Resolved – (1) That an Ad Hoc Licensing Sub-Committee be appointed, having the functions set out in the document “Swindon Council Constitution 2019/20”, and comprising Councillors John Ballman, Paul Dixon, Emma Faramarzi, Brian Mattock, Garry Perkins, Vera Tomlinson and Nadine Watts.

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

(2) That a Licensing Panel be appointed, having the functions set out in the document “Swindon Council Constitution 2019/20”, and comprising three Councillors to be drawn from Members of this Committee.

(3) That a Private Hire/Hackney Carriage Licensing Sub-Committee be appointed, having the functions set out in the document “Swindon Council Constitution 2019/20”, and comprising Councillors Abdul Amin, Alan Bishop, Malcolm Davies, Stephanie Exell, Caryl Sydney-Smith, Vera Tomlinson and Peter Watts.

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

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LICENSING COMMITTEE

THURSDAY, 13 JUNE 2019

PRESENT:- Councillors Abdul Amin, John Ballman, Alan Bishop, Malcolm Davies, Steph Exell, Emma Famarzi, Nick Martin, Brian Mattock, Imtiyaz Shaikh, Caryl Sydney-Smith, Vera Tomlinson, Nadine Watts and Peter Watts.

Apologies for absence were received from Councillors Paul Dixon and Garry Perkins.

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 17th May 2019, be confirmed and signed as a correct record.

8. Public Question Time

No public questions were received during the meeting.

9. Member Training - The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

The Committee received training from The Council's Licensing Team in respect of "The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018". The training included the following key areas:

- Licensable Activities falling under the jurisdiction of Swindon Borough Council.
- Legislation currently in force to control licensable activities.
- The current responsibilities of the Council's Animal Licensing team.
- An overview of the following changes introduced under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
 - The introduction of a Star Rating System by the Council in compliance with the Regulations.
 - The methodology for determining ratings under the Regulations, including risk scoring matrix.
 - Key points for activities covered by the Regulations.
 - Animal related activities requiring a licence under the regulations and the application process for these activities for licensable activities.
 - Changes to the appeals process arising from the introduction of the Regulations.
 - Legislation and Regulations repealed or revoked following introduction of the new Regulations.
 - The fee structure approved by the Council's Cabinet Member for Housing and Public Safety for licensable activities covered by the Regulations.

- Potential issues facing the Council as a result of the introduction of the new Regulations.
- Advice received from DEFRA in respect of the introduction and operation of the new Regulations and potential forthcoming changes to the Regulations.
- Current Legislation not affected by the introduction of the new Regulations.

LICENSING PANEL

MONDAY, 1 APRIL 2019

PRESENT:- Councillors Alan Bishop, Vera Tomlinson and Nick Martin

26. Appointment of Chair

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

27. Minutes

Resolved – That the minutes of the meetings held on 14th and 19th December 2018 be confirmed and signed.

28. 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.

29. Application for a Premises Licence for the Bangladeshi Association of Swindon, GWR Park, Faringdon Road, Swindon

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an application for a Premises Licence for Bangladeshi Association of Swindon, GWR Park, Faringdon Road, Swindon, (b) written representations from Wiltshire Police in support of their objection to the application for a Premises Licence, (c) oral submissions opposing the application by Mr Hugh Green, local resident in support of his objection, (d) written representations from Wiltshire Police opposing the grant of the application in its current form, (e) oral submissions supporting the application by Councillor Abdul Amin (Applicant) and Councillor Bob Wright (Ward Councillor), (f) answers received in response to questions to the Objectors and applicant, 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 introduced the report noting:

- The licensable activities set out within the application comprising the sale of alcohol for consumption on the premises, recorded music, the performance of plays, the showing of films, the performance of live music, the performance of dance and anything of a similar description.
- The hours requested for the activities listed namely the showing of films between 11:00 to 19:00 and all other activities requested between 11:00 and 20:00.
- The options available to the Panel in determining the application.
- That the application was for four events per annum and that each event would be considered by the Event Safety Advisory Group.
- The premises was also in possession of a Premises Licence issued to the Mechanics Institute which operates one event per year.
- That Wiltshire Police had withdrawn their representation and that the

comments set out within their written submission would be addressed through conditions to any licence approved.

- There were two representations for consideration, both submitted by local residents.
- This was the first time the applicant had applied to use this location for an event.
- Each event at the park would be risk assessed on an individual basis.
- That alcohol sales would be made under a Temporary Event Notice at the first event.

Submissions in support of the application can be broadly summarised as:

- The event was to celebrate the Bengali New Year, previous events celebrating this event had been held in in-door venues.
- The event was ticketed and all monies raised would go towards the Mayor's charities.
- Permission to use the park had been given subject to a 56 day notice period to allow the application to progress through the Event Safety Advisory Group.
- The nature of the objections raised had been considered by the Event Safety Advisory Group.
- The Council had designated the Park as a suitable venue for events such as that set out within the application.
- Past behaviours could not be associated with the applicant.
- The sale of alcohol and any adverse behaviour arising from its consumption would be monitored and controlled by experienced staff, stewards and security. No alcohol would be permitted to be taken off-site by attendees.
- Past experience had shown any alcohol related issues tended to be related to people trying to bring alcohol into the park or involving those people who had already been consuming alcohol prior to trying to gain entrance and not from sales at events. Anyone causing issues would be asked to leave the event.
- Parking issues were a matter for the Council's parking enforcement team but visitors were being encourage to use public transport or public car parks if they chose to drive.
- That there was a team on-site responsible for litter collection throughout the day and the applicant indicated his willingness for a condition on litter clear-up off-site to be attached to any licence granted.
- Sound levels were set at 65db and the event organiser had to ensure this level was not exceeded.
- Alcohol related anti-social behaviour was primarily related to licensed premises in the vicinity.
- The majority of issues raised by objectors were addressed in the Risk Assessment prepared for the event; any issues arising on the day would be dealt with by the event controller.
- There would be security at all the gates to the park to control numbers entering the park and to ensure those entering had not been drinking.
- Although the application was for 5,000 people this was due the nature of the application form it was anticipated that at peak times there would be between 500 and 1,000 people present.
- Police concerns had been addressed and so there were no objections from

the Statutory Authorities and only two public objections had been received.

- There was a lot of public support for the family event.

Submissions opposing the application can be broadly summarised as:

- That the premises were not currently in a state to host the event with broken manhole covers and numerous deep indentations in the grassed area which could put public safety at risk.
- The residents of the Railway Village suffered anti-social behaviour in the form of excessive spill-over of noise, drunken behaviour, people urinating in the street and littering (including in gardens and back alleys which were not cleared by the Council) when outdoor events were held at Faringdon Park.
- That the venue was not suitable for holding large events as there was no parking available for those attending which led to indiscriminate and inappropriate parking which severely impacted the residents of the Railway Village.

Resolved - After considering: -

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

And taking into account: -

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

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

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

The Panel has determined the application be granted subject to the following:

1. The permitted hours for the sale of alcohol on the premises be:
Saturdays and Sundays 11:00 until 19:30.
2. The permitted hours for Recorded Music on the premises be:
Saturdays and Sundays 11:00 until 20:00.
3. The permitted hours for the Performance of Plays on the premises be:
Saturdays and Sundays 11:00 until 20:00.
4. The permitted hours for the Exhibition of Films on the premises be: Saturdays
and Sundays 11:00 until 19:00.
5. The permitted hours for the Performance of Live Music on the premises be:
Saturdays and Sundays 11:00 until 20:00.
6. The permitted hours for the Performance of Dance on the premises be:
Saturdays and Sundays 11:00 until 20:00.
7. Anything of a similar description on the premises Saturdays and Sundays
between 11:00 and 20:00.

That in addition to the conditions set out in the application for the premises Licence the following additional condition should be applied to the licence: -

1. That the applicant shall arrange for a litter pick of the streets adjoining the

Premises and the pedestrian route between the Premises and Bristol Street Car Park to be undertaken within 24 hours of the end of the event.

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

Section 4

Children Services Bodies Minutes

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STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

TUESDAY, 26 MARCH 2019

PRESENT:-

Group A:
Christian Denominations and
Other Religions or Religious
Denominations

Jo Backus (Buddhist Community),
David Burbidge (Baptist Church)
Reverend David Howell (Swindon Evangelical
Alliance)
Dinesh Patel (Hindu Community)

Group B:
Church of England

Reverend Clive Deverell
Reverend Norma McKemey

Group C:
Teacher Organisations

Tracy Mason (NUT)
Emma McCarthy (NUSUWT)
Helen Redhead (Headteacher)

Group D:
Councillors

Councillor Fay Howard
Councillor Nick Martin

Also in attendance:

Jo Garton (Swindon Humanist)
Katy Staples (SACRE Advisor)

Apologies for absence were received from Councillors Matthew Courtliff, Barbara Parry and Roger Smith.

Clare-Marie Burchall, Ruth Williams, Malkit Babbra, Janet French, Lottie O'Brien, Ms Michelle Howard, Peter Nathan (Head of Education) and Sarah Foulkes (School Improvement Advisor).

27. Welcome from the Chair

Mr Steve Henderson, retired Baptist minister welcomed the SACRE to Gorse Hill Baptist Church and advised on the history of the Baptist Church and the beliefs and work of Gorse Hill Baptist Church in particular. He circulated information regarding the basis of the Baptist Union.

Resolved – (1) That Mr Steve Henderson be thanked for his interesting presentation

(2) That Mr David Burbidge be thanked for hosting the SACRE meeting.

28. Declarations of Interest

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

29. Public Question Time

There were no public questions.

30. Minutes

Resolved – That the minutes of the meeting held on 4th December 2018, be confirmed and signed as a correct record.

31. Minutes from the last agenda and matters arising not on the agenda

The SACRE were advised that further to Minute 21, the CoRE report was available on the National Association of Standing Advisory Councils on Religious Education (NASACRE) website: Report: Commission on RE Final Report: Religion and Worldviews The Way Forward - <http://www.nasacre.org.uk/useful-documents>

32. Annual Report and forthcoming actions from the Annual Report

The SACRE received its draft Annual Report, along with an updated Chair's introduction, covering the period September 2017 to August 2018. (<http://www.nasacre.org.uk/reports> - Swindon)

The Annual Report covered the following points:

- SACRE's funding and administration issues
- Agreed syllabus for RE in Swindon.
- Support for schools through advising, training teachers and governors in RE.
- The Annual RE Conference.
- Best Practice Forum.
- Learn, Teach, Lead RE Conference.
- Monitoring of RE Provision in Swindon.
- Public examination results.
- South West Regional SACRE conference.
- Statutory Matters.
- Membership.

The SACRE Advisor referred to the increase in numbers of Swindon pupils undertaking GCSE in Religious Studies whereas at "A" Level, the number of pupils entered for any Religious Studies or Religious education qualification had gone down. The SACRE noted how schools in other local authorities had debated on balancing study time allocated to RE against time allocated to other core subjects.

Following the presentation, the SACRE discussed the following issues:

- The contact time for RE education at Key Stages 3 and 4.
- Exam content for Key Stages 3 and 4.
- Ways of registering concerns regarding the reduction in both RE contact time and pupils' entry for a Religions Studies qualification.
- The skills needed to teach RE following changes to the RE curriculum by the Department for Education.
- Disparity in the number of pupils undertaking RE qualifications between

academies within the same schools' federation.

- The focus of the new Ofsted framework when assessing RE in schools.
- Comparison of Swindon's RE "A" Level results against national data.
- The opportunity for schools to benefit from Jill Dickenson (retired teacher) support to improve RE exam results.
- The differences of teaching RE in schools, with some schools teaching RE as an academic subject with a programme of study and others through Person Social, Health and Economic (PSHE) education.
- Ways of ensuring schools met minimum requirements when teaching RE.

The SACRE was informed that the Annual Report would be submitted to the NASACRE with a copy to all schools and academies.

Resolved – (1) That the report be noted.

(2) That a future meeting of the SACRE be held at Commonweal School.

(3) That secondary RE teacher representatives be invited at the next SACRE meeting to give a presentation regarding their experience of teaching Religious Education in secondary schools particularly focusing on Key Stage 4.

(4) That a copy of a previous RE exam paper be circulated to the group before the next meeting of the SACRE.

(5) That the SACRE Advisor be requested to write to Headteachers and Chair of Trustees of the schools to request an update on the work undertaken by them with those pupils not officially entered for GCSE and A Level RE exams.

(6) That the Annual Report be forwarded to all schools and academies in Swindon to heighten the awareness of the Swindon SACRE work within the borough.

(7) That the SACRE Advisor be thanked for her work in the preparation of the Annual Report.

33. Website checking and subsequent impact

The Chair confirmed that following a meeting with the SACRE Advisor regarding review of schools' websites for RE content, schools were advised regarding their compliance responsibilities. The SACRE was informed of the positive feedback from schools resulting from this exercise and updated on the overall actions being undertaken by schools. It was noted that overall, schools' governors welcomed the involvement from the SACRE who brought this matter to their attention. The SACRE Advisor confirmed that headteachers were aware of the criteria being used to ensure full compliance. It was noted that SACRE would have to continue challenging and supporting schools to ensure full compliance by all Swindon schools.

Resolved – Jo Garton to visit Southfield School to assist them with updating the RE content on their website.

(2) That members contact the SACRE Advisor if they wish to support this initiative by visiting schools to help them with updating RE content on their website.

34. Development Plan

The SACRE received the updated Swindon SACRE Development Plan 2019-21, which was being further developed to take into account the suggested vision statement and goals for Swindon SACRE.

The SACRE considered the goals for development that included (a) how to improve standards in RE; b) how to ensure the effective management of the SACRE with key stakeholders and the Local Authority; c) how the SACRE would monitor schools' provision for RE and collective worship as well as ensuring schools take into consideration the spiritual, moral, social and cultural development of pupils and d) how SACRE would encourage schools, academies and colleges to celebrate the religious and cultural diversity found in Swindon.

The following suggestions for the four goals were debated by members:

- a) Improving standards
 - Focus on A levels to improve standards
 - Review impact of new curriculum on GCSE entries
 - Continued attendance at Hub meetings and conferences
- b) Effective management of the SACRE with key stakeholders and the Local Authority
 - Circulate final annual report to stakeholders
 - Continue engagement with Councillors
 - Discussion with the head of Education on the future working relationship between the Local Authority and the SACRE group
- c) Monitor schools' provision for RE
 - A review of the agreed syllabus
 - Pupil Voice
 - Continue website monitoring for RE content.
 - Offer half day workshops to develop Spiritual, Moral, Social and Culture (SMSC) through collective worship.
- d) Celebrating the religious and cultural diversity found in Swindon.
 - Promotion of the WIRE award
 - Support needed from SACRE members to visit schools and review websites for RE content.

Resolved – That the next meeting of the SACRE would focus on the GCSE curriculum.

(2) That the Chair be requested to contact the head of Education regarding the future working relationship between the group and the Local Authority.

(3) That further to (2) above, the Head of Education be invited to the next meeting to update members of the group on the way forward between the SACRE and the local Authority.

35. Feedback from the RE Conference, the Dillington SACRE conference and Hub meetings

The SACRE received feedback regarding the RE Conference and the Dillington SACRE conference. The SACRE reviewed the report on the South Gloucestershire and Bristol SACREs' RE Conference held on 25th January 2019 that a number of teachers from Swindon attended. Emma McCarthy elaborated on the workshops held on the day. The SACRE noted that the Conference aimed to assist and provide teachers of RE with material and ideas to connect RE to the British Values agenda and to make learning more enjoyable and creative. The report highlighted the positive feedback received from delegates attending the conference. She further explained that this was an excellent opportunity for networking.

Jo Backus had attended the South West SACRE Conference at Dillington House, and she reported back on key national developments, including updates on the speeches by key notes speaker, particularly Joyce Miller (Commissioner for Religious Education) and Rudi Lockhart (CEO of the Religious Education Council). The SACRE noted that delegates felt that whilst positive work was being undertaken, there were still concerns regarding the future of SACRE and how changes in the structure would impact the national picture of monitoring schools' compliances with religious education. Jo Backus also referred to Deborah Weston who drew delegates' attention to ways of promoting the work of SACRE to ensure future funding.

The SACRE Advisor confirmed that she also attended the above conference as part of the Bristol SACRE group as they were running a workshop at the conference. This related to how schools were to address the recent increase of parents deciding to withdraw their child from attending religious education or places of worship.

Resolved – (1) That the document presented by Deborah Weston be circulated to the SACRE members before the next meeting.

(2) That the SACRE Advisor be requested to bring a copy of the handouts that the Bristol SACRE circulated at the Dillington Conference, at a future meeting of the group.

36. Date and Time of the Next Meeting

That the timetable of meetings of the SACRE in 2019/20 would be:

- 23rd July 2019
- 26th November 2019
- 3rd March 2020

The next meeting will be held on 23rd July 2019 at 6.00 p.m. in Committee Room 2 at the Civic Offices, Euclid Street, Swindon.

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Section 5

Minutes of Wiltshire Police and Crime Panel, Fire Authority and Town Twinning Network

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WILTSHIRE POLICE AND CRIME PANEL

DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 28 MARCH 2019 AT THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Junab Ali, Cllr Abdul Amin, Maime Beasant, Cllr Richard Britton, Cllr Peter Evans (Substitute), Cllr Sue Evans (Substitute), Cllr Ross Henning, Cllr Peter Hutton, Cllr Nick Murry, Anna Richardson, Cllr Jonathon Seed and Cllr Caryl Sydney-Smith

Also Present:

Angus Macpherson – Police & Crime Commissioner
Kieran Kilgallen – OPCC

Kevin Fielding – Wiltshire Council

17 Apologies for Absence

Apologies were received from Cllr Alan Bishop – Swindon Borough Council, Cllr Tom Rounds – Wiltshire Council (Sub: Cllr Sue Evans) and Cllr John Smale – Wiltshire Council (Sub: Cllr Peter Evans).

18 Minutes and matters arising

Decision:

- **The minutes of the meetings held on Thursday 17 January and Thursday 7 February 2019 were confirmed as the correct records.**

19 Declarations of interest

There were no declarations of interest.

20 Chairman's Announcements

The Chairman advised that Cllr Brian Mathew – Wiltshire Council had been replaced due to a change in the political make up of Wiltshire Council by Cllr Nick Murry.

The Chairman thanked Cllr Brian Mathew for his valuable contribution to the work of the Panel.

21 Public Participation

There was no public participation.

22 Quarterly data (Q3)- Risk / Performance / Finance / Complaints

The Commissioner presented his report setting out the quarterly performance data – Quarter Three 2018-19 (1 October to 31 December 2018) contained in the agenda pack.

Points made included:

- There were 11,123 crimes recorded during quarter two and 43,070 in the 12 months to September 2018.
- This represented a reduction of 536 recorded crimes (1.2 per cent) compared to the previous 12 months.
- The recorded crime rate per 1,000 population for Wiltshire in the year to September 2018 was 60.1 crimes. This was below the most similar group (MSG) average of 70.1 crimes per 1,000 population and was statistically lower than peers.
- That in the 12 months to September 2018, 39 forces had seen an increase in their recorded crime volume compared to the previous year. Wiltshire was one of only four forces to report a reduction.

The Panel requested an update on the Public Opinion Survey.

It was agreed that an update on the Public Opinion Survey would be brought to the June 2019 PCP meeting.

The Panel noted the rise in Cyber Crime and the downward trend on Anti-Social Behaviour related crime, although it did feel that Anti-Social Behaviour related crime was increasing.

The Panel requested that the OPCC made available Hate Crime outcome statistics for panel members.

The Chairman requested that an analysis of all types of crime was made available for panel members.

It was agreed that the OPCC would provide Cllr Jonathon Seed with statistics re “What percentage of burglary victims received a visit from a police officer”.

That the Panel were pleased with the upbeat trend in the Restorative Justice statistics.

Deep dive into Priority 3

Priority 3 – Protect the most vulnerable in society

The Commissioner outlined the report, which was contained in the agenda pack.

The panel were encouraged by the report.
The Chairman thanked the Commissioner for the report.

PCC Risk Register

- After discussion the report was noted.

The Chairman thanked the OPCC for the report.

84 Community Policing Team Resource Framework

Kieran Kilgallen outlined the report.

The report provided an overview of the current resource framework for monitoring Community Policing Teams (CPTs) deployability, and also how resources were managed to ensure an effective deployment across the County.

A discussion followed, Cllr Jonathon Seed querying the accuracy of the Deployability statistics set out in the report. It was agreed that the OPCC would re-look at these statistics and come back to Cllr Jonathon Seed and Cllr Richard Britton with a revised table that both OPCC and PCP could agree with.

It was agreed that a report re Community Policing Resource Management Overview (sickness) would be brought to the June 2019 meeting.

The Chairman thanked Kieran Kilgallen for the report.

23 **Victim Support Service (Horizon) update**

The update was noted.

24 **Diversity and Inclusion Strategy**

Kieran Kilgallen outlined the report that was contained in the agenda pack.

It noted that Wiltshire Police would be holding a workshop on Thursday 4 April to look at all aspects of the report.

It was noted that any PCP feedback would be welcome and would be fed into the process.

The point was raised that there were a good deal more ethnic groups in Swindon that Wiltshire Police needed to tap into.

The Chairman requested that panel members thought about any groups that should be included in the process and make recommendations to OPCC accordingly.

The Chairman thanked Kieran Kilgallen for the report.

25 **Member questions**

The members questions report included in the agenda pack was noted.

Cllr Jonathon Seed asked a supplementary question re the **Salisbury City Council Application for Community Safety Accreditation Scheme powers** question that he raised at the 5 February meeting.

“What was the time frame for the vetting process that Hampshire Police were carrying out”.

It was agreed that the OPCC would follow up this question with Hampshire Police.

Cllr Jonathon Seed also asked what was the OPCC time frame for answering questions raised by panel members. The Commissioner responded, that the OPCC tried to answer panel questions as soon as possible.

The chairman noted that the PCC-PCP Protocol which had been drawn up in 2012 did not include a timescale for PCC responses to requests for information.

He felt that the Protocol should be reviewed and undertook to circulate copies to members with a request for any suggested changes.

26 **Forward Work Plan**

The Forward Work Plan was noted with the additions of:

- **Public Opinion Survey update - 6 June 2019 meeting**
- **Wiltshire Police Officer Sickness update - 6 June 2019 meeting**

27 **Future meeting dates**

- Thursday 6 June 2019 – County Hall, Trowbridge
- Thursday 5 September 2019 – City Hall, Salisbury
- Thursday 19 December 2019 - Swindon Borough Council Offices

(Duration of meeting: 10.00 am - 12.25 pm)

The Officer who has produced these minutes is Kev Fielding, of Democratic Services, direct line 01249 706612, e-mail kevin.fielding@wiltshire.gov.uk

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

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TOWN TWINNING NETWORK

WEDNESDAY, 3 APRIL 2019

PRESENT:- Councillors Kevin Small (Chair) Junab Ali and Kevin Parry.

David Bell, Cristina Bennett (Swindon Ocotal Link), Hassan Nur (Salahley, Somalialand), (Swindon Ocotal Link) and Nazma Ramruttun (Swindon Mauritius Friendship Twinning)

Apologies for absence were received from Cecilia Olley and Ken Kimber.

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. No declarations were made.

15. Public Question Time

No public questions were received during the meeting.

16. Minutes

Resolved – That the minutes of the meeting held on 3rd October 2018, be accepted as a correct record.

17. Swindon City of Sanctuary Update

The Forum was updated on work related to the City of Sanctuary Since the last meeting of the Network which included:

- The hosting scheme for people who were destitute or about to become destitute.
- A break-down of work with local companies and schools.
- Work to update the City of Sanctuary Website which included a “20 welcomes film”.
- The Opening Night at the No1 Coffee Shop in the town centre, held on every Thursday between 6:30pm and 8:30pm, which offered the opportunity to meet and interact with sanctuary seekers, volunteers and supporters.

Resolved – That the update be noted.

18. Town Twinning Future/Friendship Link Agreements

The Forum received an update in respect of a request relating to the creation of friendship arrangements between Swindon and Madhyapur Thimi and anticipated work with their school and hospital and to create a friendship link to facilitate a group visit to Swindon as well as a group from Swindon visiting Madhyapur Thimi. The friendship group had held a charity event on 20th April to raise funds for the town and friendship group. The Worshipful The Mayor reported that he had met the Nepalese Ambassador and Nepalese community. The Network supported a friendship link whilst noting that this did not require any funding or officer support.

The Chair would write a letter to the Mayor of Madhyapur Thimi setting out the Forum's support for a friendship link and desire for closer links between the two communities.

The Forum also received an update in respect of the request for a friendship link with Mauritius and a visit by representatives of the local community to Mauritius in November and a forthcoming visit at the end of April. The Network supported a friendship link whilst noting that this did not require any funding or officer support. The Chair would write a letter to the Mayor of Mauritius setting out the Forum's support for a friendship link and desire for closer links between the two communities.

Resolved – The update and presentations by the Madhyapur Thimi and Mauritius Friendship Groups were noted.

19. Reports from Town Twinning Associations and Links

The Network received a report of the Interim Director of Law inviting the representatives of the Town Twinning Associations and Links present at the meeting to provide updates on twinning activities undertaken since the last meeting.

Hassan Nur (Salahley, Somalialand) updated the Network on discussions with representatives in Salahley to formalise the friendship links between Salahley, Somalialand and Swindon.

The Network discussed the benefits of including a paragraph from each organisation within the paperwork for future meetings.

The Network noted with sadness the recent death of Rita Heyes, one of the founder members of the Swindon/Ocotol Link Association. The Network noted that there might be an opportunity to formally remember her via naming a street, building or allotment site in her memory in Covingham the area in which she lived. Details would be sent to the Clerk and, in consultation with the Parish Council and Ward Councillors, consideration would be given to an appropriate form of memorial. The Association had recently revised its charitable status to facilitate a change in the way it undertook its work.

The Chair updated the Network in respect of communications from Salzgitter following the news of the proposed closure of the Honda site in Swindon. The Mayor would lead a delegation to visit Salzgitter in May.