

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.