

SCRUTINY COMMITTEE

MONDAY, 21 OCTOBER 2019

PRESENT: Councillors Robert Wright (Chair), Emma Faramarzi (Vice-Chair), Steve Allsopp, Janine Howarth, Brian Mattock, Barbara Parry, Carol Shelley, Roger Smith, Timothy Swinyard, Vera Tomlinson and Steve Weisinger.

Also in attendance were: Councillors David Renard (Leader of the Council), Russell Holland (Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills), Oliver Donachie (Cabinet Member for Economy and Place), Dale Heenan (Cabinet Member for the Town Centre), Mary Martin (Cabinet Member for Children's Services), Maureen Penny (Cabinet Member for Highways and the Environment) and Gary Sumner (Cabinet Member for Strategic Planning).

Apologies for absence were received from: Councillors Matthew Courtliff, Jim Grant, Jane Milner-Barry and Des Moffatt.

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. The following declarations were made:

- Councillor Barbara Parry made a personal, non-prejudicial declaration of interest in respect of agenda item 7 (Cabinet Member Question and Answer Session – Cabinet Member for Children's Services) as an employee at The Ridgeway School and Sixth Form College.
- Councillor Steve Allsopp made a personal, non-prejudicial declaration of interest in respect of agenda item 6 (Consideration of Cabinet Decisions) as a Mid-Counties Board Member which is a tenant on the site adjacent to the site under discussion in Cabinet Minute 43 – Acquisition of Property in Park South, Swindon.

29. Minutes

Resolved – That the minutes of the meeting held on 9 September 2019 be confirmed and signed as a correct record.

30. Exempt Items - Exclusion of Press and Public

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 draft Minutes 42 and 43 of the Cabinet meeting held on 16th October 2019 along with the Cabinet Member Decision Note that has been called-in and set out as Agenda Item 8, 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.

31. Public Question Time

There were no questions received from members of the public.

32.

Consideration of Cabinet Decisions

The Committee considered a report introducing decisions arising from the Cabinet meeting held on 16 October 2019.

Minute 39. Budget Management Update

Councillors David Renard (Leader of the Council), Oliver Donachie (Cabinet Member for Economy and Place) and Dale Heenan (Cabinet Member for the Town Centre), responded to questions put by the Chair on the following matters:

- The potential market interest in, and income from, any brownfield sites that the Council is not going to develop. The Committee noted that any requests to develop these sites would be considered using the usual commercial criteria, and that members should contact the relevant Cabinet Member if they are aware of any suitable sites.
- The current proposals for the development of the car parks in Commercial Road, Harding Street and John Street. The Committee was advised that the demolition of the John Street car park is part of the wider development for the Bus Boulevard, and that confirmation on the other two sites would be circulated subsequent to the meeting.
- How the resolution agreed at Council regarding the recruitment of additional Enforcement Officers has been fulfilled by the recruitment of two Civil Enforcement Officers in Parking Services and two Environcrime Investigation Officers, the redirection of two Environcrime Officers, and the allocation of an additional 30 hours of activity from officers across the Council. The Committee noted that hourly patrols are taking place in the town centre on a rota basis, shared across Public Health, Planning Enforcement, Licensing, Parking Services, Environcrime, Environmental Health and the Police.
- The ongoing work to reduce the current projected budget deficit and the work being done under the Swindon Programme to achieve £3.5m savings.
- That the Housing Revenue Account is a ring-fenced budget with no direct link to the General Fund, but is included as part of the regular budget monitoring and reporting for information.
- How the Schools Forum determines the allocation of resources such as the Special Educational Needs budget, and ensures that any dedicated funding is spent on its intended target cohort.

Resolved – (1) That Minute 39 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 40. Polling Districts and Places Review (Minute for Confirmation)

Resolved – That Minute 40 of the Cabinet be noted.

Minute 41. Health and Care Board Swindon

Councillor David Renard responded to questions put by Councillor Brian Mattock and the Chair on the procedure for calling in decisions of the Board, which the Committee noted will be in line with the process for decisions taken by Cabinet and the Cabinet Panel on School Organisation.

Resolved – That Minute 41 of the Cabinet be noted.

Minute 42. Investment Opportunity – Industrial Premises, Stratton St Margaret

The Committee moved in to exempt session and the press and public were excluded during the discussion of this draft Minute.

The Chair asked a series of questions regarding rental prices, maintenance, service charges and estate management of the premises, as well as how the proposal related to the Council's Commercial Investment Strategy. Councillor Russell Holland (Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills), with assistance from the Head of Property Assets, responded at the meeting.

Resolved – That Minute 42 of the Cabinet be noted.

Minute 43. Acquisition of Property in Park South, Swindon

The Committee remained in exempt session and the press and public were excluded during the discussion of this draft Minute.

Councillors Steve Allsopp, Janine Howarth and the Chair asked a series of questions regarding consultation with the local community, obligations under the commercial contract in terms of maintenance, the different phases of development, and equality and diversity matters on site. Councillors David Renard, Russell Holland and Oliver Donachie, with assistance from the Head of Property Assets, responded at the meeting.

Resolved – That Minute 43 of the Cabinet be noted.

33. Call-in Request - Cabinet Member Decision

With the agreement of the Committee this item was brought forward on the agenda. The Committee remained in exempt session and the press and public were excluded during the discussion of this item.

The Committee considered a report of the Chief Legal Officer regarding a call-in request submitted by four Councillors of a decision made by Councillor Dale Heenan, Cabinet Member for the Town Centre. Councillors Steve Allsopp, Emma Bushell, Jim Grant and Stan Pajak called in the Cabinet Member decision concerning the North Star Regional Leisure Development. The Cabinet Member Decision Note had been marked as not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

In accordance with the Council's call-in procedure, the Committee was invited to consider the evidence provided by the four councillors as to why the decision failed to meet the requirements of the Council's principles of decision making, as set out in Article 13 (Decision Making) of the Council's Constitution, with particular regard to the carrying out of due process in reaching the decision and / or failing to fully appreciate the implications of the decision, and determine whether the matter should be referred back for further consideration.

Councillor Janine Howarth and the Chair spoke to the call-in, in particular regarding the funding for the project, and the associated road scheme required for the project.

The Cabinet Member spoke about the funding and road schemes for the project, and indicated that opposition spokespersons and ward members along with appropriate officers within the Council had been consulted about the proposal.

Resolved – That the Committee does not support the case put forward in the notice of call-in and therefore does not refer the matter back to the Cabinet Member for further consideration.

34. Cabinet Member Question and Answer Session - Cabinet Member for Children's Services

The Committee moved back in to public session for consideration of this item.

Councillor Mary Martin (Cabinet Member for Children's Services) was in attendance and presented to the Committee a report summarising progress and performance in respect of the key objectives of her portfolio of responsibility which are:

- Provide strategic leadership and be the statutory lead Member for Children's Services.
- Provide the political leadership for the improvement plan.
- Through the senior officers, ensure Children are Safeguarded.
- Provide political leadership for contract/compliance/procurement.
- Provide the political leadership for the strategic provision of:
 - a) Corporate Parenting
 - b) Early Help
 - c) Youth Justice
- Promote Children's Health and Wellbeing.
- To work with other Cabinet Members to Manage Demand within the portfolio.
- Ensure that the Council's agreed priorities within the portfolio are delivered.

In overseeing these areas, the Cabinet Member for Children's Services is responsible for delivering the following Priorities and Pledges of Swindon's Vision:

- 7. In addition to the two new free secondary schools, build one secondary and 13 primary schools to meet the needs of our increasing population.
- 20. Increase the number of foster carers in Swindon so that every 'child looked after' who should be, is placed in their home borough.
- 21. Ensure that there is a partnership approach to early prevention and intervention across Swindon so that more children and families are supported early, including through the Troubled Families Programme, to prevent escalation to statutory social care.
- 22. Ensure that Swindon's vulnerable children and young people are safeguarded and protected.
- 25. Work collaboratively with stakeholders to ensure the level of children in Swindon with excess weight is no higher than the England average.

In addition, the Cabinet Member for Children's Services has the following delegated responsibilities:

- Children and Family Services including Early Help, Youth Offending Team, Young Person Substance Misuse team, Targeted Mental Health, Education

Welfare, Educational Psychology, Youth Engagement, Services for Disabled Children.

- Children's Social Work services.
- Community Health Services including Health Visitors, School Nurses and Family Nurse Partnership, Paediatric Therapy Services, Speech and Language and Portage.
- Local Safeguarding Children's Board.
- Multi Agency Safeguarding Hub (MASH).
- Children Voluntary Sector Contracts.
- Fostering and adoption services.
- Troubled Families.
- Music Services.
- Plas Pencelli Outdoor Education Centre.

Councillor Martin, with assistance from the Director of Children's Social Work, responded to questions put by Councillors Steve Allsopp, Emma Faramarzi, Barbara Parry, Carol Shelley, Timothy Swinyard, Steve Weisinger and the Chair on the following matters:

- The interim arrangements following the departure of the Head of Education and the review of the directorate senior management team currently being undertaken.
- The Council's significant additional financial investment which has reduced social worker caseload and improved stability, and the potential risks should this extra funding not be sustainable.
- How savings could be achieved through changes to the commissioning of services, a reduction in the number of agency / temporary workers, and an increase in the number of in-house foster carers.
- The actions being taken to address the difficulties in recruiting and retaining permanent, full-time social workers, which include offering training and career development via the Social Worker Leadership Academy launching on 26th November 2019.
- The Council's 'partners in practice' relationship with Essex County Council, which has been judged as 'Outstanding' by Ofsted.
- The steps being taken to improve the stability and permanence of children's placements, including the renegotiation of contracts with providers and the establishment of small residential units in Swindon.
- The confidence that the recent 'Good' Ofsted rating has imbued in the resilience and robustness of the improvement model currently adopted by Children's Services should external factors start to move in a negative direction.
- The measures put in place to implement the revised Quality Assurance Framework (given the challenges from higher priority operational demands for Service Managers and the fluctuation within staffing capacity), and the resources required for the management of mentoring and coaching options for social workers given the current pressures.
- The length of time taken for the statutory assessment for an Education Health and Care Plan, which is currently 20 weeks. The Committee were advised that 80% of referrals are seen within 18 weeks, but that this still requires improvement.

- The possible contributing factors to the higher rate of first time entrants in Swindon to the Youth Offending Service compared to the national and south west average, and the work being undertaken to reduce that number.
- The work undertaken by the Council and its partners in putting children at the centre of all activity, and in taking a holistic approach to the development of Children's Services. The Committee were advised that a more child-centred approach was being taken by the Children's Health, Social Care and Education Overview and Scrutiny Committee with the current recruitment for Children's Representatives.
- The process for completing the impact scale with young carers at the start / end of an intervention, which feeds in to a specific outcomes framework for young carers.

Resolved – That Councillor Martin 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.

35. Work Programme 2019/2020

The Committee considered a report of the Chief Legal Officer setting out the topics for inclusion in the 2019/2020 Scrutiny Work Programme, as agreed by the Committee at its meeting on 10th June 2019, and updated during the course of the Municipal Year.

The Committee noted that, with the agreement of the Chair, the Cabinet Member Q&A session for Strategic Planning will be moved on the Work Programme to the meeting on 13th January 2020. The proposed Cabinet Member Q&A session for Housing and Public Safety will be brought forward to the meeting on 18th November 2019.

36. Status of Requests for Action and / or Information

The Committee received an updated report advising on the status of outstanding issues and member requests for information.

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