

SCRUTINY COMMITTEE

MONDAY, 18 NOVEMBER 2019

PRESENT: Councillors Robert Wright (Chair), Emma Faramarzi (Vice-Chair), Steve Allsopp, Matthew Courtliff, Jim Grant, Brian Mattock, Barbara Parry, Carol Shelley, Caryl Sydney-Smith, Vera Tomlinson and Steve Weisinger.

Also in attendance were: Councillors Cathy Martyn (Cabinet Member for Housing and Public Safety), Keith Williams (Cabinet Member for Corporate Services and Operational Excellence), and John Ballman.

Apologies for absence were received from: Councillors Emma Bushell, Roger Smith and Tim Swinyard.

37. 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 Bob Wright made a personal, non-prejudicial declaration of interest in respect of agenda item 5 (Moredon Playing Fields Sports Hub) as a member of the Leisure and Library Trust in charge of the libraries transferred to Central Swindon North Parish Council.
- Councillor Brian Mattock made a personal, non-prejudicial declaration of interest in respect of agenda item 5 (Moredon Playing Fields Sports Hub) as a Director of the Swindon Housing Company.
- Councillor Steve Allsopp made a personal, non-prejudicial declaration of interest in respect of agenda item 5 (Moredon Playing Fields Sports Hub) as a Director of the Swindon Housing Company.

38. Minutes

Resolved – That the minutes of the meeting held on 21 October 2019 be confirmed and signed as a correct record.

39. Public Question Time

Mr Roy Worman, a resident of Haydon Wick, asked a number of questions regarding the Moredon Recreation Ground Sports Hub report, specifically on:

- When the proposal had received planning permission from the Council.
- Whether Appendix 2 to the report should be considered as exempt information given that planning permission had already been approved.
- The paragraph in Part 1 of Schedule 12A of the Local Government Act 1972 under which the information contained within Appendix 2 would be defined as exempt.

Councillor Keith Williams (Cabinet Member for Corporate Services and Operational Excellence) and the Chair responded at the meeting.

40. Moredon Playing Fields Sports Hub

The Committee considered a report providing an update on the progress of the project programme and delivery of a sports hub at Moredon Recreation Ground, as approved by Cabinet in 2018 (Cabinet Minute 86, 2017/18 refers). The Committee resolved that, in accordance with Section 100A(4) of the Local Government Act 1972, the public and press would be excluded should discussion of the matters contained within Appendix 2 arise, on the grounds that it would involve the likely disclosure of exempt information, as defined in Paragraph 3 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.

Councillor Keith Williams, Cabinet Member for Corporate Services and Operational Excellence, introduced the report and referred to the interest from British Cycling and the Wiltshire Football Association in the site due to its ideal location and the demographic reach within Swindon. Councillor Williams confirmed that these agencies have the funds available to invest in this proposal, but that there will also have to be an element of match funding from the Borough Council, coming from S106 receipts.

The Committee noted that provision suggested for the site includes an off-road cycling track, junior football pitches, and a 3G floodlit astro-turf pitch. Councillor Williams highlighted how the long-term viability of the Hub is a key criterion for British Cycling and the Wiltshire Football Association and there is an expectation that revenue will fully cover costs with no subsidies from the operator. Interest in operating the site has been expressed so far by GLL and Central Swindon North Parish Council.

Councillor Williams, aided by the Head of Operational Property, responded to questions put by Councillors Steve Allsopp, Emma Famarzi, Jim Grant, Brian Mattock, Vera Tomlinson, Steve Weisinger and the Chair on the following matters:

- Any concerns or conditions that Central Swindon North Parish Council has regarding the proposal. The Committee noted that reservations are being addressed and the Parish Council already manages assets such as libraries. It is also working on the sustainability of its five-year financial model.
- The intention to offer terms for a leasehold land transfer of the whole or part of the Grounds to a third party and how one operator with responsibility for the future management and maintenance would be the best option, especially in obtaining economies of scale.
- The tight timelines involved with the proposal, particularly regarding the windows for funding applications and how British Cycling along with the Wiltshire Football Association have been working with the Council to flex deadlines and meet targets.
- That the match funding for this proposal was allocated from S106 reserves by the Cabinet decision in March 2018, and it had not been earmarked for other projects prior to this. The Committee noted that any housing built as part of this proposal may attract S106 monies in the future.
- How the design of the changing rooms and other facilities, as well as the model of future use, will incorporate current contemporary use and will be future proofed for any changes in trends.
- The anticipated operating hours as it is unlikely to be a 24-hour site.
- That work will be underway on the Sports Hub prior to any housing development taking place on the site.

Resolved – That the current progress of the project be noted.

41. Cabinet Member Question and Answer Session - Cabinet Member for Housing and Public Safety

Councillor Cathy Martyn (Cabinet Member for Housing and Public Safety), was in attendance and presented to the Committee a report summarising progress and performance in respect of the service areas within her portfolio of responsibility. The key objectives and role of the Cabinet Member for Housing and Public Safety is to:

- 1) Provide the strategic direction for the management of all aspects of the Council's social housing.
- 2) Provide strategic direction to reduce and prevent homelessness where possible.
- 3) Promote partnership engagement to address rough sleeping.
- 4) Provide strategic leadership to promote safe public areas.
- 5) Set the strategic vision for the Borough's continuing social development.
- 6) To work with other Cabinet Members to Manage Demand within the portfolio.
- 7) Ensure that the Council's agreed priorities within the portfolio are delivered.

The Cabinet Member for Housing and Public Safety is responsible for delivering the following Pledges of Swindon's Vision:

- 7. Build new affordable homes including 200 new council homes and 66 units through the Affordable Housing Development programme at sites including the Hawthorns, the Royal British Legion site in Penhill, Townsend House in Old Town and the Former Refuge in Park South.
- 8. Complete the redevelopment of Sussex Square.
- 26. To prevent homelessness where possible using additional measures including the temporary winter housing provision and enabling a day centre to prevent rough sleepers from returning to the streets.

The Cabinet Member for Housing and Public Safety also has delegated responsibility for:

- Allocations and Advice Services
- Empty Homes
- Estate and Tenancy Management
- Housing Enabling and Strategic Services
- Homeline Services
- Homelessness
- Housing Right to Buy/Sales Services
- Neighbourhood Wardens
- Private Sector Housing Renovation Grants
- Repair and Improvements to Council Housing Stock
- Sheltered Accommodation
- Environmental and Public Protection Services Gypsies, Travellers and Unauthorised Encampments
- Reducing Drugs, Alcohol and Substance misuse
- Control Room Operations
- Reducing anti-social behaviour
- Reducing domestic abuse
- Community Safety Partnership
- Licensing

- Air Quality

Councillor Martyn, aided by the Director for Communities and Housing, the Interim Director of Public Health, the Head of Planning, Regulatory Services, Libraries and Heritage, the Head of Housing, the Licensing Manager, the Service Manager for Healthy Neighbourhoods and the Community Safety Team Leader, responded to questions put by Councillors Steve Allsopp, Emma Faramarzi, Jim Grant, Brian Mattock, Barbara Parry, Carol Shelley, Steve Weisinger and the Chair on the following matters:

- How the law in England does not currently support the mandatory display of food scores by establishments but that the possibility of linking to the Food Standards Agency website, via the Council's website, is being investigated so that residents have easy access to the data. The Committee agreed to write to the Swindon MPs to lobby for a change to this law.
- The current restructuring of, and recruitment to, the Licensing Team (which is expected to be fully operational by the end of the current financial year) and how this will support the professional resilience of the team.
- The compulsory training for new taxi license holders and applicants on issues of Child Sexual Exploitation, safeguarding and "*county lines*" activities, and the roll out of this training to the 1100+ existing license holders taking place over the next 18 months.
- The report expected from the Department for Transport regarding in-car CCTV requirements for taxi drivers, which the Licensing Committee will consider before making a final decision on mandatory requirements in Swindon. The Committee noted that conditions are currently in place to which a driver wishing to voluntarily install CCTV in their vehicle has to adhere.
- How the prevention of public nuisance requirements can be in respect of odours and littering, as well as noise, when licenses for premises are being considered.
- The involvement of In Swindon in bringing the Christmas Market stalls to the town centre this year.
- How the Licensing Act 2003 will override the Public Space Protection Order currently in place in the town centre, and will allow for the sale of food and drink during the Christmas Market. The Committee noted that police colleagues had no objections to this proposal, and that additional waste collections for the site will be organised.
- How the amount of grant funding received from Homes England will affect the balance of the number of affordable versus social rent level homes built on the Queens Drive development.
- How 'affordable' rents are set at 80% of the open market value (including service charges) and that individual developments will be assessed on a like for like basis using current market values at that time.
- The Council's 'Green Light for Housing' programme, which assists residents in being ready and aware of affordability issues before they are offered accommodation. The Committee noted that there is an open bidding system so residents are able to see in advance what the rent levels are.
- The broad range of housing on offer within Swindon, particularly given the amount of socially rented stock owned by the Council.
- The ratio of the 146 affordable homes delivered through Housing Associations within the overall number of houses built in the first two quarters of 2019/2020, and whether this matches the Council's stated 30% aspiration. It was agreed that a written analysis would be provided subsequent to the meeting.

- How development appraisals are weighted on the side of developers within the current British planning system.
- The reviews of the Council's Housing Association partners, undertaken every four to five years, which assesses: customer satisfaction; the ability and aspiration to develop; financial strength and management, and; the stock in Swindon.
- The further improvements on collecting owed rent, which includes achieving 'approved landlord' status with the Department for Work and Pensions, and the development of in-house arrears progression system (a semi-automated messaging system aimed at preventing rent arrears from arising).
- Engagement with the Council's tenants on mitigating fire safety issues, and the advice being sought from the Fire Service on the 'stay put and evacuate' message.
- The plethora of actions being taken across the Borough to improve air quality and reduce pollution.
- How the general air quality across Swindon is good and all roads are within acceptable limits but there are some minor areas of future concern. It was agreed that the definition of what constitutes acceptable levels of air quality will be circulated subsequent to the meeting.
- The difference between 'particulates' (from road dirt for example) as compared to 'particles' (like nitrogen dioxide from internal combustion engines), and the differing effects they have on health.
- The time and costs involved in measuring air quality. It was agreed that the current list of measuring tube locations would be circulated subsequent to the meeting.
- The legacy of under-reported housing repairs caused by historic difficulties and the actions being taken to create a smart and fast response for those tenants not using online systems. The Committee noted that the 'My Tenancy' portal will be relaunched with aim of reducing the stress on contact centre telephone lines.
- The aspiration for tree planting nationally and how this can be incorporated in to the Swindon Community Forest Programme.
- The public safety issues caused by tree roots raising paving slabs, and the actions being taken to mitigate future problems with more appropriate species being planted on sites.
- The properties recovered as a consequence of tenants participating in illegal activities, and the plans to publicise these cases as a deterrent.
- The rise in child abuse linked to faith groups, such as Female Genital Mutilation, and the preventative work being done in this area such as awareness-raising publicity campaigns.
- The opportunities within the Housing Strategy for improving the key worker housing offer in Swindon.
- The homelessness support provided to young people in Swindon, such as the performance related rough sleeper initiative, and the joint working on prevention planned for 2020 by children's, adults and housing services.
- The drug prevention work being done in Swindon and how accurately this can be measured given that, as an illegal activity, it has to be self-reported.

Resolved – (1) That Councillor Martyn 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 the Chair, on behalf of the Committee, write to the Swindon MPs to lobby for a change to the law in England to enable the mandatory requirement for establishments to display their food score rating.

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

42. Review of the 2018/19 Municipal Year - Scrutiny Annual report

The Committee considered its Annual Report for 2018/2019 prepared by the Chief Legal Officer.

The Annual Report highlighted the work of the Scrutiny Committee and its five Overview and Scrutiny Committees during the Municipal Year 2018/2019, in their role of supporting the Council's decision-making and policy development processes and the work of the Cabinet and the Council as a whole.

The Chair of the Scrutiny Committee explained in his foreword to the report that the function of Overview and Scrutiny is to hold the authorities decision-makers to account (which is fundamental in the successful functioning of local democracy), and how effective a scrutiny body is helps to drive the level of improvements and efficiency within the authority itself. The Chair also explained how, where possible, compliments and critical challenge should be bedfellows through advocating and questions.

The Chair also thanked those who had participated and supported the Overview and Scrutiny function in the last year, and confirmed that this would be the last Annual Overview and Scrutiny report he would be introducing as Chair of the Scrutiny Committee.

The Committee discussed the involvement of overview and scrutiny members in the earlier stages of decision-making at the Council and determined that there were areas where this could be improved. The Committee agreed to establish a Task Group to review the scrutiny process at Swindon Borough Council, with a particular view to backbench member involvement in the earlier stages of decision-making.

The Committee also discussed the training offered to overview and scrutiny members and determined that there is currently a gap. The Committee agreed to invite the Member Development Advisory Group to consider including overview and scrutiny training in the Member Training and Development Programme for the 2020/2021 Municipal Year.

Resolved – (1) That the Scrutiny Committee Annual Report for 2018/2019 be noted.

(2) That a Task Group be established to review the scrutiny process at Swindon Borough Council, with a particular view to backbench member involvement in the earlier stages of decision-making.

(3) That the Member Development Advisory Group be invited to consider including overview and scrutiny training in the Member Training and Development Programme for the 2020/2021 Municipal Year.

43. 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.

44. 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.