

## **RESOURCES AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE**

**MONDAY, 25 NOVEMBER 2019**

PRESENT: Councillors Brian Mattock (Chair), Steve Weisinger (Vice-Chair), Claire Crilly, Vinay Manro, Adorabelle Shaikh, Timothy Swinyard and Rahul Tarar.

Apologies for absence were received from: Councillors Steve Allsopp and Des Moffatt.

### **12. 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 Chair made a personal, non-prejudicial declaration of interest in respect of agenda item 7 (Local Procurement) as a Director of the Swindon Housing Company.

### **13. Minutes**

Resolved – That the minutes of the meeting held on 24<sup>th</sup> September 2019 be confirmed and signed as a correct record.

### **14. Public Question Time**

There were no public questions submitted.

### **15. Capital Strategy Update**

The Committee considered a report providing an update on the work being undertaken around the capital strategy and capital bid process for 2020/2021.

The Head of Finance introduced the report and highlighted how progress around capital is set in the context of the Capital Strategy, which had been considered by Cabinet at its meeting in February 2019. He confirmed that work is currently underway on the proposals to be considered by Cabinet at its meeting in February 2020.

The Head of Finance also advised that officers are improving the live Capital Programme monitoring processes to ensure they receive a similar level of scrutiny as revenue monitoring, especially given that the Capital Programme is over £400m and therefore has a substantial impact on the revenue budget. He also referred to the property investment and disposal strategy that has now been in place for a number of years.

Following the presentation of the report it was queried whether the four properties purchased by the Council for investment purposes are fully occupied and attracting a reasonable yield. The Head of Finance confirmed that there are no significant voids and they are performing well and within the parameters of individual business cases.

Resolved – To note the content of the report.

## **16. Presentation - National Update / Spending Review**

The Committee received an update from the Corporate Director of Finance and Assets, who began by referring to the topics discussed during his last update which were:

- The anticipated spending review in the summer of 2019.
- Business Rates Retention (at 50% nationally with plans to increase it to 75%).
- How the formula for calculating relative need amongst Local Authorities across the country is ripe for review.

The Corporate Director then commented on what had taken place since his last update, and prior to the General Election being called, as follows:

- A single year spending round had been announced in September 2019.
- A review of how funding is distributed amongst Local Authorities had been announced but will be deferred until April 2021.
- Pilots have been trialled using 75% Business Rates Retention – these will cease at the end of this financial year.
- Government announced an increase to ‘core spending power’ (day-to-day spend across all government services) rising from £2.9b nationally to £49.1b. This will be targeted at social care for Local Authorities, with a £1.5b increase expected (sourced from a £1b grant and the ability of Local Authorities to apply a 2% raise to precepts).
- Above inflation increases to the Better Care Fund and Public Health grants have been announced.
- Most other local government funding arrangements are getting an inflationary increase, or remaining frozen, which is an improvement in position.
- The technical consultation announced in October 2019 on the New Homes Bonus (additional funding received to reflect the pressures of increased population).

The committee noted that officers are awaiting the result of the General Election on 12<sup>th</sup> December 2019 prior to finalising the budget proposals for adoption by Council in February 2020.

Resolved – To note the content of the update.

## **17. Local Procurement**

The Committee considered a report providing an overview of the Councils current activities that are undertaken as part of the procurement procedures to ensure that opportunities are maximised for local business / suppliers to have access to tender for Council contracts, and which must also satisfy the wider Council priorities in relation to its Best Value duties and its legal obligations.

The Procurement Manager introduced the report and took members through the procurement process, highlighting where there are opportunities to apply social value criteria and evaluate the benefits to the local area.

Following the presentation of the report, the following matters arose and were

discussed:

- The EU thresholds for applying criteria for services and works contracts.
- Factors that can affect the length of time it takes to complete the tendering process.
- The procurement regulations adopted by the Swindon Housing Company with particular reference to the appointment of Estate Agents to sell units. It was agreed that a written response would be circulated subsequent to the meeting on this matter.
- How contractors can contribute in a meaningful way to the Council's environmental priorities.
- How a systematic assessment of the number of local contractors and suppliers being used is not currently available due to resource constraints.

Resolved – (1) To note the current activities undertaken to provide opportunities for local suppliers.

(2) To note the increasing use of Social Value tender evaluation criteria linked to the Council's priorities when tendering.

(3) To note the Council's Procurement Policy requires that "due regard will be paid in all Procurement decisions to the protection of the environment, the appropriate use of natural resources and local economic prosperity" within the legal parameters.

## **18. Presentation - Review of Community Infrastructure Levy and S106 monies**

The S106 Planning Obligations & Community Infrastructure Levy (CIL) Manager gave a presentation to the Committee on the introduction and practical application of S106 and CIL, and how members have an opportunity to influence spend through (a) the Neighbourhood Proportion of CIL passed to Parish and Town Councils and (b) engaging with Planning Case Officers on S106 negotiations for the open space offer which is managed at the point that the application is determined.

She also referred to how CIL and S106 information can be accessed and at what level (e.g. Ward or Parish), the difficulties in pre-empting expected income from CIL and S106, and the processes for reporting on spend currently in place (the information from which is distributed to members via the Political Assistants).

The S106 Planning Obligations & Community Infrastructure Levy (CIL) Manager then highlighted the recent changes to S106 and CIL, which came in to force on 1<sup>st</sup> September 2019. These included: a new statutory requirement to annually report on S106 receipts; a pre-emptive rather than retrospective position on spending will have to be published; and CIL and S106 information will have to be made publically available on the Council's website.

Following the presentation the following matters arose and were discussed:

- The CIL regulations that set out an enforcement framework should payment not be forthcoming (the ultimate sanction of which is imprisonment), and the monitoring of S106 breaches and the debt recovery process in place.
- The work being undertaken behind the scenes to ensure the Council is able to fulfil the requirements of the legislative changes, which came in to force on 1<sup>st</sup> September 2019.
- The robust mechanisms in place to track and monitor self-build CIL exemptions following the compliance certificate date.

Resolved – To note the content of the presentation.

## **19. Rationalisation of the Council's estate**

The Committee received a report setting out how it had agreed to consider the rationalisation of the Council's estate when considering its Work Programme for the 2019/2020 Municipal Year and that Councillor Keith Williams, Cabinet Member for Corporate Services and Operational Excellence, has portfolio responsibility for estate management.

The Committee noted that Councillor Williams had presented his Question and Answer Session to the Scrutiny Committee at its meeting on 12<sup>th</sup> August 2019 and so, to avoid duplication, the section from Councillor Williams report relating to estate management has been reproduced in full in this report, along with the relevant excerpt from the Minutes showing the debate. The Committee was advised that should it wish to ask any questions regarding estate management that were not raised at the Scrutiny Committee meeting, the Clerk would be directed to record those and seek formal answers subsequent to the meeting.

The Head of Property Assets highlighted how Councillor Williams' report had contained information on the assets currently held by the Council (of which there are two types – those used for service delivery and those used to raise income) and the value of those assets.

Resolved – To note the content of Cllr Williams Question and Answer Session report relating to estate management as set out in the detail of the report.

## **20. Work Programme 2019-2020**

The Committee considered and noted a report of the Chief Legal Officer setting out the topics for inclusion in the 2019/2020 Work Programme, as agreed by the Committee at its meeting on 17<sup>th</sup> June 2019 and updated during the course of the Municipal Year.

The Committee were advised that the next meeting, due to be held on 11<sup>th</sup> December 2019, had been cancelled due to the General Election announcement. The items due for consideration have been postponed to the meeting on 2<sup>nd</sup> March 2020, the theme for which is 'Digital and Customer'.