

SCRUTINY COMMITTEE

MONDAY, 7 DECEMBER 2020

PRESENT: Councillors James Robbins (Chair), Steve Weisinger (Vice-Chair), Junab Ali, Emma Bushell, Jim Grant, Jenny Jefferies, Jane Milner-Barry, Barbara Parry, Kevin Parry, Roger Smith, Timothy Swinyard and Rahul Tarar.

Also in attendance were: Councillors David Renard (Leader of the Council and Chair of Cabinet), Russell Holland (Deputy Leader of the Council, Vice-Chair of Cabinet, and Cabinet Member for Commercialisation, Education and Skills), Brian Ford (Cabinet Member for Adults and Health), Dale Heenan (Cabinet Member for the Town Centre, Culture and Heritage), Mary Martin (Cabinet Member for Children's Services), Cathy Martyn (Cabinet Member for Housing and Public Safety), Maureen Penny (Cabinet Member for Highways, Maintenance and Waste Services), Gary Sumner (Cabinet Member for Strategic Infrastructure, Transport & Planning), Keith Williams (Cabinet Member for Climate Change) and Ray Ballman.

Apologies for absence were received from Councillors Matthew Courtliff and Andy Spry.

33. 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.

34. Minutes

Resolved – That the minutes of the meetings held on 26th October 2020 and 9th November 2020 be confirmed and signed as a correct record.

35. Public Question Time

The Chair read out a submission received from 73 members of the public which contained the following wording:

"In 1976, the Oasis was opened, built with public money, for public ownership as a cultural and social centre for the people of Swindon. It has since become a central element of our heritage. Many of us learnt to swim there; others saw their first gig, exercise at the gym, socialise and enjoy valuable time with friends and family. Its importance to our community is hard to overstate.

I was hugely alarmed to read that GLL will not be reopening the Oasis once lockdown lifts. I think it is vital that the centre reopens, so am writing to ask;

- That the council secures the long term future of the Oasis as an invaluable community resource by bringing it back into council ownership
- That the council acts to safeguard the jobs threatened by the closure
- That the council takes necessary steps to reopen the centre as soon as possible to avoid compounding issues with lost income.

I would like to ask what steps the Council plans to take in regards to securing these outcomes. I look forward to hearing this question addressed, and to ensuring that the Oasis remains open and a treasured local resource for generations to come.”

Councillor David Renard, Leader of the Council, responded at the meeting. A written copy of the response was agreed and will be attached as an annex to these Minutes.

The Chair read out a submission from Mr Neil Robinson relating to the Oasis Leisure Centre: “People aren't interested in the Snow Dome, they want their iconic Oasis Leisure Centre saved. The people of Swindon deserve and demand FULL clarity over what Swindon Borough Council (SBC) actually agreed with Seven Capital when it handed over the keys, and how far it is prepared to go to save it. The Oasis MUST be saved as a number one priority for the Council. Questions:

1. SBC own the Oasis land, but do they own the building and simply lease it to Seven Capital? Can you please clarify in detail the agreement in place?
2. What are the terms of the lease? Is there a break out clause for the Council to seize it back off Seven Capital if they don't find a new operator? What are the obligations of the arrangement?
3. Has SBC formulated a plan to save the Oasis yet? Does it have contingencies and back up options/ideas to save it? If not, why not? We need an immediate timeline in place to get it re-opened as quickly as possible.
4. Can SBC confirm that they will seize it back into public ownership and block the Snowdome development, should Seven Capital fail to secure a new operator?”

Councillor Renard responded at the meeting. A written copy of the response was agreed and will be attached as an annex to these Minutes.

Mr Roy Worman submitted a number of questions relating to the update being given by the Leader of the Council, in particular:

1. Would the Borough support the England’s Economic Heartland Proposals in making a case for powers to be given to Councils to issue penalty notices for “Moving Traffic” violations. Would you interpret this to include traffic cameras?
2. It is noted that England’s Economic Heartland has submitted to Government 11 Road improvement schemes which unfortunately did not involve the A420 east of the A419. How did the borough submit its proposals for the A420 given the eastern villages expansion and associated employment areas? Do you agree that the council was not progressive enough in the promotion of the statistics of Eastern Villages?

Councillor Renard responded at the meeting.

Mr Worman asked supplementary questions regarding:

- England’s Economic Heartland passed a motion to be “harder and faster on decarbonisation”. It has indicated that it will produce a ‘road map’ by 2021 which will be based on a regional budget and show where future investments can be prioritised. Was the Council part of the 200 responses it received?
- The Mid-year Treasury Performance report indicates the Council took a short term loan of £5m – when is this repayable?

Councillor Renard, Councillor Russell Holland (Deputy Leader of the Council, Vice-Chair of Cabinet, and Cabinet Member for Commercialisation, Education and Skills) and the Corporate Director of Finance and Assets (Section 151 Officer) responded at the meeting. A written copy of the response was agreed and will be attached as an annex to these Minutes.

36. Consideration of Cabinet Decisions

The Committee considered a report introducing decisions arising from the Cabinet meeting held on 2nd December 2020.

Minute 33. Swindon Borough Council Covid-19 Response Update

The Director of Public Health provided a data update as follows:

- The case rate for Swindon is 114.3 per 100,000 which is showing a positive downward trend. The South West average is currently 80.5 per 100,000 and the England average is 147.8 per 100,000.
- There have not been any major concerns from a case perspective since going in to Tier 2. Around 20 – 30 cases per day are being logged, with around 254 cases in the last seven days.

Councillor Renard responded to a question put by Councillor Jane Milner-Barry on the provisions under the Civil Contingencies Act 2004 for a designated emergency evacuation centre, given that the current location (the Oasis Leisure Centre) is closed. The Committee noted that if an emergency centre is required due to Covid-19 the best place to locate people would be identified, using the Council's powers to commandeer venues if necessary, with the re-opening of the Oasis also being an option. Plans will be updated accordingly, the details of which will be circulated to Members following the meeting.

Resolved – (1) That Minute 33 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 34. Swindon's Country Parks Strategic Improvement Plan

Councillors Dale Heenan (Cabinet Member for the Town Centre, Culture and Heritage) and Maureen Penny (Cabinet Member for Highways, Maintenance and Waste Services) responded to questions put by Councillors Jim Grant, Jenny Jefferies, Jane Milner-Barry, Timothy Swinyard and the Chair on the following matters:

- The request from Councillor Jim Grant for this decision to be referred back to Cabinet (with the suggestion that it then be put on hold until summer 2021) given:
 - The amounts of S106 monies involved (committed but not yet spent);
 - The situation surrounding Oasis, in particular the uncertainty as to whether the Council will become involved and provide funding for it; and
 - The opportunity to include leisure provision as well as country parks in this four year strategic plan.
- Reassurance that Lydiard House will be re-opening once the pandemic is over.
- Proposals for the re-opening of the Splash Park at Coate Water (which are also dependent on when the pandemic ends and what measures may need to be put in place).

Resolved – By a majority that Minute 34 of the Cabinet be noted.

Minute 35. Budget Management Update (December) and Draft Budget 2021/22

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

- How the spending of S106 monies is governed by a legal framework and planning laws, whereas funds allocated for a particular purpose in the Council's capital programme can be reallocated for another purpose subject to decision.
- The planned use of the Winter Grant Fund, which will be announced by the Cabinet Member shortly. The Committee noted the intention to make food vouchers available over the Christmas break and February half term to those families eligible for free school meals, with some additional discretionary spend for families in need.

Resolved – That Minute 35 of the Cabinet be noted.

Minute 36. Capital Monitoring Quarter 2 Update

Resolved – That Minute 36 of the Cabinet be noted.

Minute 37. Treasury Management - mid-year update report

Resolved – That Minute 37 of the Cabinet be noted.

Minute 38. Sheltered Housing Staffing Review

Councillor Cathy Martyn (Cabinet Member for Housing and Public Safety) responded to questions put by Councillor Ray Ballman, Jim Grant, Jenny Jefferies and Kevin Parry on the following matters:

- The request from Councillor Ray Ballman, supported by Councillor Jim Grant, for this decision to be referred back to Cabinet for reconsideration given:
 - That it may cause anxiety and stress amongst the elderly and vulnerable.
 - That the support currently offered by residential wardens is more than just a telephone call once a day, as they provide social activities which can help reduce isolation and loneliness.
 - The savings made across other areas as a result of residents not requiring services due to what residential wardens do for them.

and for Cabinet to consider undertaking an audit of the support provided by residential wardens outside of their contracted hours to accurately reflect the reduction in service to residents.

- Whether wardens who are covering several sheltered accommodations will have time to provide the differing levels of support that residential wardens do.
- The contracted hours of residential and non-residential wardens (both of whom are not available 24 hours a day) and the support provided by the Control Room and Homeline outside of those hours which will not change.
- How those residents who request it will still receive face-to-face contact during week days with non-residential wardens following the pandemic.

- The potential loss of a positive relationship between warden and residents with a move to non-residential wardens.

Resolved – By a majority that Minute 38 of the Cabinet be noted.

Minute 39. Accelerated Tree Planting in the Great Western Community Forest

Councillors Gary Sumner (Cabinet Member for Strategic Infrastructure, Transport and Planning) and Keith Williams (Cabinet Member for Climate Change) responded to questions put by Councillors Jim Grant, Jane Milner-Barry, Roger Smith and Timothy Swinyard on the following matters:

- The estimated 10% level of tree coverage across the Borough (based on an average of 2,000 trees per hectare) and when a tree audit was last undertaken.
- The work being done to maintain the condition of current trees, which can be a cause for concern if they are not regularly inspected or pruned, including the involvement of Parish and Town Councils which have the ability to raise money locally to spend on tree maintenance.
- Whether government funding is expected to help maintain the trees until they are properly established.
- The removal of a small number of trees due to Ash Dieback disease, which has been taken in to account for the targeted tree cover.
- The leisure opportunities, such as footpaths and mountain bike tracks, which could be made available in less densely planted areas.
- The correct placing of the most appropriate trees in a given area and how this can help to make them more low maintenance.
- The types of land / areas that are being sought as potential sites for planting (which can be supplied if required).
- How the new planning regulations being proposed by Government could potentially affect this.
- The recent Government announcement of over £12m being made available to help fund community forest projects, and it currently being unclear as to whether the Great Western Community Forest will benefit from this additional funding.
- That the umbrella organisation of the Great Western Community Forest will form part of the mechanism used to deliver the tree planting and that agreements will be entered in to for future maintenance and husbandry of the sites. The Committee noted that future management arrangements could range from local communities to a woodland trust.

Resolved – That Minute 39 of the Cabinet be noted.

37. Leader of the Council: Six Month update

Councillor David Renard, Leader of the Council, gave a verbal update to the Committee outlining how the Authority had performed in the first half of the 2020/2021 Municipal Year towards the Council's priorities and targets. Councillor Renard highlighted the following points:

- His thanks to the Public Health Team, as well as all officers in the Council who responded to the pandemic and kept residents safe.

- The financial support provided to social care and health providers, as well as Personal Protective Equipment.
- The funding and support provided to rough sleepers.
- That social care has continued its services uninterrupted, with referrals having increased by 10% in the last few months (which has placed additional pressure on the social care team).
- Discharges from hospital work continuing seven days a week, supporting those coming out from hospital and getting them in to a more appropriate setting for recovery.
- The winter plan that has been put in place and looks different from normal.
- The service provided to businesses by administering financial support schemes, with over £30m having been given to Swindon businesses to make sure they continued to operate.
- The support provided in the town centre to help businesses get Covid-19 ready, with up to 80% of footfall having returned prior to the second lockdown.
- The support from the Local Enterprise Partnership relating to:
 - Infrastructure funding for roads.
 - Funding for the Carriage Works, which is helping to regenerate part of Swindon's heritage and turning it in to a place for businesses to grow and develop.
- Bids have been submitted to Government for towns fund and future high streets fund to continue the town centre redevelopment.
- Work on the Aspen House site (the new Premier Inn) is expected to start in the new year (2021).
- The £400m warehouse and distribution centre that will be coming to Symmetry Park soon.
- The Swindon / Didcot / Oxford transport study completed by England's Economic Heartland which should help improve connectivity towards the North East.
- The large number of houses sold at the Wichelstowe development and the new primary school which will be opening there.
- The roll out of the LED lights programme (for street lighting and traffic lights) which is both positive for the environment and for tax payers in terms of reducing energy bills.
- City Fibre is currently improving the broadband offer in Swindon, which will help with digital connectivity.
- The work being done on the Heritage Action Zone, including the Mechanics' Institute and investment in the Health Hydro.

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

- The public sector pay freeze announced by the Chancellor last week that should not affect local government pay (which is negotiated each year between the unions and local government employers).
- A potential addition to the Work Programme of this Committee to include a review of the Pledges early in 2021, which will be discussed and agreed by the Chair and the Leader of the Council subsequent to the meeting. This review would also consider the potential introduction of an additional Pledge that would commit the Council to supporting residents when in contention with developers.

- Potential revisions to the Government proposals for the planning system as a result of responses made to the White Paper consultation, and the hope that collectively local government can work with central government to create a workable system more in line with local decision making.
- What the Council can do to encourage independent businesses to set up in the town centre following the closure of the national retailers. The Committee noted that 26 new smaller businesses have set up in town since June 2020 and that officers are in talks with the bigger landholdings in retail centres which recognise the changes taking place in town centre retail.
- The lessons learnt from the first tranche of Active Travel Fund projects in the town and the plans for the consultation on the second.

Resolved – That Councillor Renard be thanked for attending the meeting to present his update and for his full and open responses to members' questions and observations on the issues raised.

38. Air Quality in Swindon and Odour Complaints in Rodbourne Area

The Committee considered a report describing the current state of knowledge of the quality of the air across Swindon (and in particular within the Kingshill Air Quality Management Area) and around reported periodic malodour in the Rodbourne area, which had been requested by the Committee as part of its agreed Work Programme for the current Municipal Year.

Councillor Keith Williams (Cabinet Member for Climate Change) introduced the report and highlighted that the periodic malodour in the Rodbourne area had been a challenging issue for officers to investigate, but that one of the findings is its relation to the old Hills landfill site located close to Junction 16 of the M4.

Councillor Williams responded to questions put by Councillors Jim Grant, Jane Milner-Barry and the Chair on the following matters:

- How resident problems were not being addressed effectively on the odour problems in Rodbourne, and the lessons that could be learnt from it, with the situation now hopefully being resolved by the Environment Agency taking responsibility.
- The lack of need to monitor for particulate matter 10 and 2.5 in Swindon following initial assessment and results indicating that this is not an issue within the Borough and that further measures were not required.
- Whether the effect on air quality elsewhere is taken in to account when new developments are proposed.
- The general improvement of air quality across the town as a whole, and not just in those areas registering as problematic such as Kingshill.

Resolved – To note the contents of the report.

39. Work Programme 2020/2021

The Committee considered a report of the Chief Legal Officer which set out the topics for inclusion in the 2020/2021 Scrutiny Work Programme, as agreed by the Committee at its meeting on 7th July 2020, and updated during the course of the Municipal Year.

The Chair confirmed that the Work Programme will be amended subject to his discussion with the Leader of Council regarding a progress report against the Council's Pledges (as discussed under Minute 37. Leader of the Council: Six Month update).

40. 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.