

Council

Thursday, 11 April 2013

**BACKGROUND REPORTS RELATING TO MINUTES
RESERVED TO COUNCIL FOR DECISION UNDER
THE COUNCIL'S MANAGEMENT SCHEME**

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Community Governance Review: References from Corporate Governance Review Working Group

Cabinet

Date: 20th March 2013

Author: **Leader of the Council and Director of Law and Democratic Services**

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To consider recommendations arising from a meeting of the Corporate Governance Review Working Group held on 7th March 2013, and to agree the draft proposals resulting from the Community Governance Review of Swindon for submission to Council.

2. Recommendations

Cabinet is recommended to:

- 2.1 Note the Report on the Community Governance Review of Swindon submitted to the Corporate Governance Review Working Group on 7th March 2013, as set out in Appendix 1.
- 2.2 Endorse the recommendations of the Corporate Governance Review Working Group on 7th March 2013, as set out in Appendix 2.
- 2.3 Approve the draft proposals in relation to the Community Governance Review of Swindon, as set out in Appendix 3, subject to any changes made at the Cabinet meeting.
- 2.4 Authorise the Director of Law and Democratic Services, in consultation with the Leader of the Council, to prepare the draft Scheme and consequential draft Parish Changes Order resulting from the Community Governance Review of Swindon, for submission to Council on 11th April 2013.

3. Detail

- 3.1 The Corporate Governance Review Working Group at a meeting on 7th March 2013 received submissions made following a final consultation period that invited interested parties to make further representations expressing views on the draft proposals. Six submissions were received and noted by the Working Group at its meeting on 7th March 2013.
- 3.2 At a meeting on 7th March 2013 the Working Group considered a report of the Director of Law and Democratic Services that presented an analysis of each of

Further information on the subject of this report can be obtained from Stephen Taylor, Direct Dial Telephone Number 463012, staylor@swindon.gov.uk.

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the final submissions for consultation as the concluding stage of the Community Governance Review process. This report is attached as Appendix 1.

- 3.3 The Working Group at its meeting on 7th March 2013 made a number of recommendations to the Cabinet on the final proposals of the Community Governance process. These recommendations are set out in Appendix 2.
- 3.4 The draft Proposals resulting from the Working Group's deliberations are attached at Appendix 3. Once those Proposals have been agreed by Cabinet, a draft Scheme and draft Parish Changes Order will be prepared for submission to Council on 11th April.
- 3.5 Members should contact Electoral Services if they wish to look at more detailed ward maps in order to clarify any of the submissions and recommendations of the Working Group.
- 3.6 Whilst the majority of submissions were straight forward there have been some conflicting submissions received at both draft and final stages of the review. In formulating its recommendations, the Working Group has complied with the statutory requirement to have regard to the need to secure that community governance within the area under review reflects the identities and interests of the community in that area and is effective and convenient, and has taken fully into account all the representations received.
- 3.7 Accordingly, the Cabinet is requested to consider the recommendations proposed by the Working Group and to authorise the Director of Law and Democratic Services to prepare the draft Scheme and consequential draft Parish Changes Order resulting from the Community Governance Review of Swindon, for submission to Council on 11th April 2013.

4. Alternative Options

- 4.1 No alternative options are proposed. The Cabinet and Council could determine to adopt other options based on the submissions it has received.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The cost of the Community Governance Review is met from within existing Electoral Services' budgets. There are no other financial implications at this stage of the process.

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Legal and Human Rights Implications

- 5.2 Legal and Human Rights implications have been taken fully into account in the preparation of this report. It is considered that the recommendations of the report are compatible with Convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 There are no other direct implications associated with this report.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.4 There are no specific links.

Diversity Impact Assessment

- 5.5 A Diversity Impact Assessment (DIA) has not been undertaken at this stage.

Risk Management

- 5.6 There are none linked to this report although failure to comply with the statutory procedures would be a legal and reputational risk to the Council.

6. Consultees

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None.

8. Appendices

- 8.1 Appendix 1 - Available on the Council's Website
8.2 Appendix 2 - Available on the Council's Website
8.3 Appendix 3 – Draft Proposals.

9. Key Decision/Decision in Forward Plan

- 9.1 This is not a Key Decision, as the Council will make the final decision on the Community Governance Review. The item is included within the Cabinet Work Programme / Forward Plan for March 2013..

Further information on the subject of this report can be obtained from Stephen Taylor, Direct Dial Telephone Number 463012, staylor@swindon.gov.uk.

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Introduction

- 1 The Local Government and Public Involvement in Health Act 2007 (LGPIH) devolved the power to take decisions relating to the creation or abolition of parishes, the boundaries of parishes and the electoral arrangements of parish councils from the Secretary of State and the Electoral Commission to principal councils. With effect from February 2008, district councils have had the responsibility for undertaking community governance reviews (formerly known as parish reviews) and have been able to decide whether to give effect to recommendations made in those reviews. In making that decision, councillors need to take into account the views of local people.
- 2 Councils are required to have regard to guidance issued by the Secretary of State and the Electoral Commission. Guidance suggests that it is good practice for a principal council to consider conducting a review every 10-15 years. So far as Swindon was concerned, it was considered timely to conduct a review following on from the recent electoral review of the Borough Council's electoral arrangements.
- 3 We contacted all parish councils, interested parties and the public, inviting the submission of proposals at stages of this review. The submissions received during this time have formed our final recommendations.
- 4 The period for both further consultation and the receipt of submissions is now closed. The final recommendations proposed by the Corporate Governance Review Working Party (referred to as The Working Party during this report) for the future parish arrangements for Swindon are set out within this documents for presentation to Cabinet on 20th March 2013, and Council on 11 April 2013.
- 5 Final approval and adoption of an agreed parish scheme for Swindon will be made by Council Order and come into effect at the dates set out in that Order. The effect of the scheme will be to retain the current cycle of parish council elections with the exception of Blunsdon Parish Council whose next election will be deferred from 2014 to 2015 with a reduced three year term of office to bring it back in line with the current electoral cycle.

What is a Community Governance Review?

- 6 It is a review that can take place for the whole or part of the Borough to consider one or more of the following:
 - Creating, merging, altering or abolishing parishes;
 - The naming of parishes and the style of new parishes;
 - The electoral arrangements for parishes (the ordinary year of election; council size, the number of councillors to be elected to the council, and parish warding), and

- Grouping parishes under a common parish council or de-grouping parishes
- 7 The Council is statutorily required to have regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.
- 8 In doing so the community governance review is required to take into account:
- The impact of community governance arrangements on community cohesion; and
 - The size, population and boundaries of a local community or parish.

Timetable for the Review

- 9 The timetable for this review allows the final recommendations and statutory order to be in place prior to the parish council elections scheduled to take place in 2014.

Action	Timeline	Outline of Action
Deciding when review commences	January 2012	Approval of Terms of Reference and timescale
Terms of Reference	17 th May 2012	Publish Terms of Reference and notifies stakeholders.
Introductory stage – Meetings with stakeholders	11 th – 20 th June 2012	
Stage 1	20 th June – 10 th September 2012	Initial submissions invited.
Stage 2	11 th September – 9 th November 2012	Consideration of submissions and publication of draft recommendations.
Stage 3	10 th November 2012– 18 th February 2013	Consultation on draft recommendations.
Stage 4	18 th February – 15 th April 2013	Consideration of final submissions and preparation of final recommendations
Final recommendations	16 th April 2013	Publication of final recommendations
Making the Community Governance Order	May 2013	Council to make Order

Why are we conducting a review of parish arrangements?

- 10 This review is taking place partly as a result of the electoral ward review undertaken in 2011 and also the current situation of some of the parish arrangements.
- 11 The Council believes that parish councils play an important role in terms of community empowerment at the local level and wants to ensure that parish governance within the Borough continues to be robust, representative and enabled to meet new challenges. Furthermore, it wants to ensure that there is clarity and transparency to the areas that parish councils represent and that the electoral arrangements of parishes – the warding arrangements and the allocations of councillors – are appropriate, equitable and readily understood by their electorate.

Undertaking the review

- 12 Swindon Borough Council has approached the review by conducting a Borough wide consultation;
 - Seeking the views of all interested parties including parish councils, community groups, and individuals
 - The Borough Council has not sought to initiate changes but clearly reflect the views of the community and the submissions received at both the draft and final stages of the review.
 - The Borough Council has promoted the review widely through media advertising, web site information, and notices and leaflets which have been distributed throughout the local authority area.

Consideration of Submissions

- 13 The submissions received at the first stage of the review were considered by The Working Party on 11th October 2012. The Working Party then formulated draft proposals on the basis of the evidence submitted having regard to the extent to which the submissions received met the statutory criteria referred to in paragraph 6 above.
- 14 In some instances, The Working Party considered that insufficient evidence had been submitted at this stage to justify the changes requested. The Working Party, therefore, recommended that in those instances further evidence be gathered together for consideration by The Working Party in preparation of the final recommendations.
- 15 Having regard to the submissions received at both the draft and final stages of the review The Working Party have considered the evidence received to finalise recommendations to Cabinet for a final parish scheme for Swindon. If agreed the recommendations will be further endorsed by Council. The scheme will best reflect the interests of the

communities in Swindon and offer effective and convenient local government.

Analysis and Final Recommendations (Alphabetical order of parish)

- 16 The current electorate figures for the parished and unparished areas of the Borough are as follows:

Parish Area	Electorate
Bishopstone	558
Blunsdon St Andrew	9,550
Castle Eaton	196
Chiseldon	2,195
Covingham	3,007
Hannington	223
Haydon Wick	15,696
Highworth	6,672
Inglesham	89
Liddington	311
South Marston	701
Stanton Fitzwarren	180
Stratton St Margaret	18,500
Wanborough	1,548
Wroughton	6,413
Unparished areas	97,323

(Correct as at October 2012)

17. Before finalising our recommendations on the Community Governance Review we considered further evidence in support of initial proposals received during the final stages of the review to enable proposals to be made that best reflect the wishes of the community and that provide effective and convenient local government.

Electoral Arrangements

- 18 In this section of the report we have detailed the submissions received at both the draft and final stages of the review.. The parished areas have been considered in turn followed by the un-parished areas of Swindon Borough.

Bishopstone

- 19 Bishopstone Parish Council indicated it wished to see no change to its existing parish boundaries. The Council received no submissions directly from residents at either the draft or final stages of the review.

Recommendation - It is recommended that Bishopstone parish should not be abolished and that its area should not be altered and that there be no change to the parish arrangements relating to Bishopstone.

Blunsdon St Andrew

- 20 Blunsdon St. Andrew Parish Council made a joint proposal with Stratton St Margaret Parish Council at the draft stage of the review shown in **Appendix A** and shaded in green, that the boundary between Stratton St Margaret and Blunsdon parishes is re-aligned so that Stratton Woods and a small number of houses from Hyde Road are moved from the Blunsdon St Andrew parish to Stratton St Margaret parish. The Council received no submissions directly from residents. It is noted that in the submission from Stratton St Margaret Parish Council, local residents had responded to a questionnaire on the matter negatively. No further submission was received from the parish at the final stage of the review.
- 21 Blunsdon St. Andrew Parish Council is also reported by Haydon Wick Parish Council as supporting a joint proposal that the boundary between the two parishes, shown in **Appendix B**, follows Tadpole Brook, Thamesdown Drive and Elstree Way. Although no local residents have made any submission on this proposal, it is considered that this would be a logical change as this would follow the local road network and would also correlate to the Borough Ward boundary.

Recommendation - Taking the proposals in order, it is recommended that the area of the Parish should be altered as follows:

- (i) *Stratton Woods* – it is recommended that the proposed change to the parish boundary to incorporate the whole of Stratton Woods to within Stratton St Margaret Parish Council is agreed. The Borough Council will formally make a proposal to the Boundary Commission for England regarding the matter of moving the ward boundary to align with the proposed parish boundary.
- (ii) *Houses on Hyde Road* – It is recommended that the properties in Hyde Road remain within the Parish of Blunsdon St Andrew because local residents who responded to questionnaires at both draft and final stages of the review, do not support this change. In determining a change, the Borough Council has a duty within the act to take into account the wishes of the local government electors within the area subject of the proposed change. It has not been demonstrated by the residents in this area that they readily support the change, as shown on the map, and that the results of the consultation make evident that there was no overall wish to move from the parish of Blunsdon St Andrew to the parish of Stratton St Margaret.
- (iii) *Boundary between Blunsdon St. Andrew Parish and Haydon Wick Parish* – It is recommended that the boundary between the two parishes be adjusted as submitted by Haydon Wick Parish Council as it has been demonstrated that such change would better reflect

the identities and interests of the community in that area and in particular that:

- a. The Baxter parish ward of the parish of Blunsdon St Andrew (polling district HWF) be transferred to the existing parish of Haydon Wick on the basis that the changes would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community in that area, and that
- b. Part of the Haydon Wick warded parish (polling district SAD) be transferred to the existing parish of Blunsdon St Andrew.

Castle Eaton

- 22 The Council received no submissions at either the draft or final stages of the review relating to the parish of Castle Eaton.

Recommendation - It is recommended that Castle Eaton parish should not be abolished and that its area should not be altered and that there be no change to the parish arrangements relating to Castle Eaton.

Chiseldon

- 23 Chiseldon Parish Council indicated it wished to see no change to its existing parish boundaries. No other representations have been received at the final stages of the review.

Recommendation - It is recommended that Chiseldon parish should not be abolished and that its area should not be altered and that there be no change to the parish arrangements relating to Chiseldon.

Covingham

- 24 At the initial stages of the review no formal comment was received from Covingham Parish Council regarding any proposed changes. The Parish Council did, however, circulate a leaflet within the parish seeking comments on the review from residents and raising a particular question as to an adjoining unparished area, shown in **Appendix C**, comprising Bullfinch Close, Pheasant Close, Avocet Close, Owl Close, Mallard Close, Kestrel Drive and adjoining roads (the un-parished area).
- 25 Six responses were received concerning the Parish of Covingham.
- One respondent suggested that the parish boundary should remain the same. No further information was provided in support of this response.
 - Four responses proposed that the un-parished area be included in Covingham Parish,
 - One respondent suggested further information should be made available to residents before a decision was made.

- 26 The un-parished area (polling district CDD) is an isolated residential area adjoining Covingham Parish comprising its own polling district. It has an industrial area on three sides. Of those who responded to the survey, there appears to be strong local support for it being included within the parish of Covingham as this would better reflect the identities and interests of the community in that area.
- 27 Since the publication of the draft proposals, Covingham Parish Council has submitted a letter of confirmation, supporting the transfer of Bullfinch Close, Pheasant Close, Avocet Close, Owl Close and Mallard Close for the un-parished area of Dorcan to the Covingham Parish.

Recommendation - It is therefore recommended that the area of the Parish should be altered as follows:

The un-parished area of Bullfinch Close, Pheasant Close, Avocet Close, Owl Close, Mallard Close, Kestrel Drive and adjoining roads (polling district CDD), become part of the existing Covingham Parish for the reason that it is considered that such change would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community in that area.

Hannington

- 28 Hannington Parish Council indicated it wished to see no change to its existing parish boundaries. No other representations have been received at either the draft or final stages of the review.

Recommendation - It is recommended that Hannington parish should not be abolished and that its area should not be altered and that there be no change to the parish arrangements relating to Hannington.

Haydon Wick

- 29 Haydon Wick Parish Council reported that Blunsdon St. Andrew Parish Council supports a joint proposal from the two parish councils that the boundary between the two parishes follows Tadpole Brook, Thamesdown Drive and Elstree Way. Although no local residents have made any submission on this proposal, officers consider that this would be a logical change as this would follow the local road network and would also correlate to the Borough Ward boundary
- 30 It is not considered that any rationale has been submitted for the proposed change to the area between Emerson Close and Wynwards Road which would take that area out of the Haydon Wick Parish whilst leaving it in the Haydon Wick borough ward.
- 31 During the initial stages of the review a submission was received from Haydon Wick Parish Council recommending changes to the southern parish boundary to include the areas of Priory Vale (PVF) and Haydon Wick (HWA) which are currently un-parished but within the Haydon Wick borough ward. The Parish Council had consulted with the 1,260

dwelling involved and reports that a total of 134 have responded of which 94 are in favour.

- 32 To further support the re-aligning of the Parish boundary to include the polling districts of PVF and HWA to form part of the parish of Haydon Wick, the Parish Council undertook a further survey of the residents situated within these polling districts. From this survey, 213 properties responded, with 183 in favour of the proposals and 30 against. Therefore 85.92% of those surveyed supported the Parish Council's proposals.
- 33 It should be noted also, that HWA is the only polling district in the Haydon Wick ward that is not within the Haydon Wick parish and likewise, PVF is the only polling district within the Priory Vale Ward that is not within the Haydon Wick parish. The map for Haydon Wick identifies these polling districts in relation of the parish of Haydon Wick and the Borough Wards.
- 34 Furthermore, Haydon Wick Parish Council proposed the inclusion of the un-parished areas of Toppers Close and Beck Close (17 properties) within its parish. That area is currently within the borough ward of Haydon Wick and comprises polling district HWG which was established during the Borough Council's electoral review. No submissions have been received from local residents on this issue.
- 35 The Parish Council has also suggested that the Parish should extend its boundary to include the un-parished Seven Fields Nature Reserve, currently in the Penhill and Upper Stratton borough ward, "in order to take on a consultancy role." A petition of 34 residents was received at the initial stages of the review against Haydon Wick Parish Council's proposal to extend its boundary to include the Seven Fields Nature Reserve.
- 36 Further representations have since been made by the Parish Council during the final stage of this review. The Parish Council has made an additional representation in their submission that they have worked closely with the Seven Fields Conservation Group for many years. They also believe that the residents' petition against the proposal resulted from a misunderstanding by the members of the Penhill Forum. An email has been sent from Haydon Wick Parish Council identifying an extract from the Penhill Forum minutes dated 12th November 2012 which now supports this change.
- 37 Finally, it is noted that there is one property in Blackthorn Lane, and one property in Kennet Avenue, both adjoining the Whitworth Road cemetery, all of which are currently un-parished. The two properties currently form their own polling district (HWH) established as part of the Borough Council's electoral review, and are within the Haydon Wick borough ward. It would seem sensible for that area to be included within the Haydon Wick parish, and comments were sought from the Parish Council.

Recommendation - Taking the proposals in order as shown in **Appendix B** it is recommended that the area of the Parish should be altered as follows:

- (i) *Boundary between Haydon Wick and Blunsdon St Andrew Parishes* - It is recommended that the boundary between the two parishes be adjusted as proposed by Haydon Wick parish council as it has been demonstrated that such change would better reflect the identities and interests of the community in that area and in particular that:
 - a. The Baxter parish ward of Blunsdon St Andrew (polling district HWF) be transferred to the existing parish of Haydon Wick on the basis that the changes would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community in that area, and that
 - b. Part of the Haydon Wick warded parish (polling district SAD) be transferred to the existing parish of Blunsdon St Andrew.
- (ii) *Priory Vale and Haydon Wick polling districts* – It has been demonstrated during the final consultation stage with the residents of PVF and HWA, that there is a wish of the residents, to support the Parish Council's proposals to be included within Haydon Wick Parish Council. The residents of these two polling districts feel that Haydon Wick is their "community hub" and as such The Working Party feels that a change would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community. It is therefore recommended that the polling districts of PVF and HWA be incorporated into Haydon Wick Parish Council
- (iii) *Toppers Close and Beck Close Area*- It is recommended that the current polling district HWG is included within the existing parish of Haydon Wick to better define the parish, and align the boundary with that of the Haydon Wick borough ward. This recommendation is on the basis that such change would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community in that area
- (iv) *Seven Fields Nature Reserve* - In the light of further evidence provided during the final stage of the review, and the support of the members of the Penhill Forum, The Working Party recommends that the Seven Fields Nature Reserve be included within Haydon Wick Parish Council. This change will result in a polling district with no electors as the transfer of this area will cross two borough wards, The Council will therefore apply to the Boundary Commission for England to re-align the ward boundary in the interests of more effective and convenient community governance within the area.

- (v) *Properties in Blackthorn Lane and Kennet Avenue* - It is recommended that these properties, including the cemetery, comprising polling district HWH be included within the Haydon Wick parish on the basis that such change would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community in that area.

Highworth

- 38 Highworth Town Council indicated it wished to see no change to its existing parish boundaries. No representations had been received at the initial stage of the review.
- 39 Nevertheless, The Working Party recommended that the Town Council may wish to consider the warding of the Town in order to reduce the costs at future by-elections.
- 40 Highworth Town Council have formally responded on this matter in the final stages of the review, and have decided that they cannot see a clear warding division, and, therefore, wish the electoral arrangements to remain unchanged.

Recommendation - It is recommended that Highworth Town should not be abolished and that its area should not be altered and that there be no change to the Town Council arrangements relating to Highworth.

Inglesham

- 41 The Council has not received any comments concerning Inglesham at either the draft or final stages of the review..

Recommendation - It is therefore recommended that its area should not be altered and that there be no change to the parish arrangements relating to Inglesham.

Liddington

- 42 Liddington Parish Council proposed at the initial stage of the review, that the parish boundary "should be extended along Ham road until the point where the fields and open land create a natural break." No consultation appears to have been carried out with affected residents who are in Wanborough Parish, and no other representations have since been received. Wanborough Parish Council does not appear to have been consulted on this matter.

Recommendation – It is therefore recommended that Liddington should not be abolished and that its area should not be altered and that there be no change to the parish arrangements relating Liddington.. A case

for securing more effective and convenient community governance was not been established.

South Marston

- 43 South Marston Parish Council proposed at the initial stage of the review that a change is made to its eastern boundary, shown in **Appendix D**, with Stratton St Margaret Parish Council, and also a proposal to amend the northern boundary between the parishes of South Marston and Stanton Fitzwarren. No other representations have been received. It is understood that no residential properties are affected. South Marston Parish Council stated that these changes have been discussed with the respective parish councils and no objection has been raised.

Recommendation – Taking the proposals in order, it is recommended that the area of the Parish should be altered as follows:

- (i) *Boundary with Stratton St Margaret* - It is recommended that the eastern boundary of South Marston parish with Stratton St Margaret parish be amended as proposed by South Marston Parish Council as the proposals provide greater clarity as to the identities of each of the Parishes and provide a distinct boundary using Honda's test straight as a clearly defined boundary. Accordingly, it has been demonstrated that such change would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community in that area.
- (ii) *Boundary with Stanton Fitzwarren* – As there has been no further evidence to support the change to the northern boundary of South Marston parish with Stanton Fitzwarren parish. On the basis of these original proposals the borough council would be required to create two separate polling districts each with no residents. It has also not been demonstrated that any change would secure more effective and convenient community governance within the area or better reflect the identities and interests of the community in that area. It is therefore recommended by The Working Party that no changes are made in relation to the boundary between South Marston and Stanton Fitzwarren Parish Councils.

Stanton Fitzwarren

- 44 No comment was received from Stanton Fitzwarren Parish Council during both the initial and final stages of the review. As stated above, South Marston Parish Council have proposed a change to the boundary with Stanton Fitzwarren parish which they say has been agreed by the two parish councils.

Recommendation - It is recommended that there be no change to the boundary between the parishes of Stanton Fitzwarren and South Marston on the basis that this would require the creation of two separate polling districts each with no residents and it has not been demonstrated

that any change would secure more effective and convenient community governance within the area or better reflect the identities and interests of the community in that area. It is therefore recommended that Stanton Fitzwarren should not be abolished and that its area should not be altered and that there be no change to the parish arrangements relating to Stanton Fitzwarren.

Stratton St Margaret

- 45 Twelve responses were received in relation to Stratton St Margaret parish at the initial stage of the review and a further 4 responses were received at the final stages of the review.
- 46 Stratton St Margaret Parish Council's initial submission, in essence, proposed retaining the current parish boundaries with some amendments referred to below. Having met with representatives from Blunsdon St Andrew Parish Council, Covingham Parish Council, and South Marston Parish Council they proposed that the following changes be made;
- That the boundary is re-aligned so that all of Stratton Woods is contained within Stratton St Margaret Parish Council, previously identified in **Appendix A** and shaded green. During the initial stages of the review it was recommended by The Working Group that the inclusion of the remaining part of Stratton Woods from the parish of Blunsdon St Andrew to Stratton St Margaret Parish did not secure effective and convenient local government as the change would mean that the transfer of this area would result in a polling district with no electors. This situation has not changed, however The Working Group has requested that the Borough Council makes a formal proposal to the Boundary Commission for England to re-align the Borough Ward boundary with the proposals set out by Stratton St Margaret Parish Council.
 - Stratton St Margaret Parish Council also proposed that the Groundwell Industrial area, again shown in **Appendix A** and shaded in Grey, be transferred from Blunsdon St Andrew Parish Council to Stratton St Margaret Parish Council in line with the Borough Ward boundary.
 - *Groundwell and Hyde Road* – It was proposed by Stratton St Margaret Parish Council at the initial stages of the review that 165 properties from Hyde Road were moved from Blunsdon St Andrew Parish Council to Stratton St Margaret Parish Council. The residents survey carried out at this stage did not produce definitive support for the change and therefore the Working group requested further evidence would be required to support these proposals.

47. Further consultation was carried out by Stratton St Margaret Parish Council at the final stage of the review. Questionnaires were submitted by Stratton St Margaret Parish Council which they felt supported this change.
48. Stratton Parish Council have documented in their final submission that 60.32% of residents support the transfer of the Groundwell and Hyde Road area from Blunsdon St Andrew parish to Stratton St Margaret parish. To enable clarity of support for any proposed change, the Borough Council has extracted the questionnaires from the streets affected by the change to provide members of The Working Group with a clear indication as to the wishes of those affected by the proposals. The results to question 2 of the survey can be seen in the table below;

Question: Should the Groundwell/Hyde road areas be included in the revised parish boundary?

	Total questionnaires completed	Yes	No	% Yes	% No
<i>SSM parish results</i>	1182	713	469	60.32%	39.68%
<i>Streets affected; Bramwell Close Hyde Road Loveridge Close Pearce Close</i>	36	16	20	44.44%	55.55%

49. The table above shows that over 60% of residents responding to the questionnaire within the Stratton St Margaret Parish are in favour of the transfer of the Groundwell/Hyde Road area into the parish. However, only just over 44% of the residents responding to the questionnaire affected by the proposed change, support the proposals.
50. There are a total of 165 properties affected by the proposed change which results in a 13.3% response from affected properties. These properties currently form part of the Penhill and Upper Stratton Borough Ward and so the transfer of them from the Blunsdon St Andrew parish would align them with the Borough Ward boundary.
51. These properties have also been geographically separated from the Blunsdon St Andrew parish since the completion of the A419 in 2009.
- *Alignment of boundary between Stratton St Margaret and South Marston Parish Councils* - Proposals were made at the initial stage of the review to make a small number of changes to the boundary adjoining the South Marston Industrial Estates. No further submission have been made at the final stages of the review.
 - *Headlands Grove* - Stratton St Margaret Parish Council also proposed at the initial stage of the review that the current boundary

which runs along Headlands Grove should be moved to include all of the houses on Jefferies Avenue and Wheeler Avenue (including allotments) (currently un-parished).

- 52 It was suggested in the draft proposals that The Working Group, required more evidence to support the initial proposals of transferring the Headland area identified in **Appendix E** from the un-parished area of Gorsehill and Pinehurst to Stratton St Margaret Parish Council.
- 53 A further survey of residents undertaken by Stratton St Margaret Parish Council showed that 50.51% of residents supported the inclusion of Headlands into the parish whilst 49.49% were opposed to the idea. Again, to establish clarity of support for any proposed change, the Borough Council extracted questionnaires from the streets affected by the change to provide members of The Working Group with a clear indication as to the wishes of those affected by the change. The results to question 3 of the survey can be seen in the table below;

Should Headlands Grove be included in the revised parish boundary?

	<i>Total Questionnaires Completed</i>	Yes	No	%Yes	%No
<i>SSM parish</i>	<i>1182</i>	<i>597</i>	<i>585</i>	<i>50.51%</i>	<i>49.49%</i>
<i>Streets affected:</i>					
<i>Constable Road</i>					
<i>Headlands Grove</i>					
<i>Jefferies Avenue</i>	<i>57</i>	<i>39</i>	<i>18</i>	<i>68.42%</i>	<i>31.57%</i>
<i>Masefield Avenue</i>					
<i>Wheeler Avenue</i>					

- 54 The table shows that the survey responses undertaken by Stratton St Margaret Parish Council show little evidence to either support or oppose the changes to Headlands. However, the results from those streets affected by the proposals indicate that over 68% of residents responding to the survey support the proposals to transfer Headlands Grove area to Stratton St Margaret Parish Council.
- 55 There are a total of 363 properties affected by the proposed changes resulting in an 8% response to the survey.
- 56 Stratton St Margaret Parish Council has provided The Working Group with additional rationale to support their proposals. These include;

Masefield Avenue – Currently properties 9 – 21 are within the parish but properties 1-8 and 22-26 are not. These can be seen on the map for Stratton St Margaret.

Constable Road – the only access is via Green Road which lies inside the parish boundary of Stratton St Margaret and some facilities that the residents benefit from are currently provided for by the parish council

Wheeler Avenue – The parish council refer to the possible transfer of allotments from Swindon Borough Council to the parish. The parish council believes that it can provide improved management and maintenance for the allotment holders.

- 57 The parish council also commented that the change would provide the residents of the Headlands area with greater representation within the community especially with regard to the old Headland school site and the Headlands trading estate.
- 58 The parish council also suggested changing the boundaries and names of the following parish wards;
- St Philip Ward changes to Upper Stratton Ward
 - St Margaret Ward changes to Lower Stratton Ward
 - Lower Coleview & Nythe Ward name remains unchanged
 - Merton Ward changes to Headlands Ward
- 59 So far as changing parish ward names is concerned, advice has been given by the Boundary Commission for England to the effect that as the Merton Ward was created in consequence of the recent Electoral Review of the Borough, there will need to be further consultation with electors in that area.
- 60 The parish council conducted an initial survey of the Coleview and Nythe area, whereby 3,000 questionnaires were delivered, with a total of 365 returned (12% response rate). 76% responded (277 respondents) saying they'd like Stratton St Margaret Parish to remain the same. 74% (270 respondents) also confirmed they didn't think the Parish boundaries should be changed. An internet poll was also conducted, in which 55% (30 respondents) said they'd like the parish to remain the same size and 31% (17 respondents) wished for the parish area to be increased.
- 61 Other submissions were received as follows;
- An email suggesting that the Parish of Stratton St Margaret should not have its name changed.
 - Another submission was supportive of the parish and suggested they would like the parish boundaries to remain the same, although no further evidence to support this was provided.
 - Two responses received were opposed to the idea of parish councils altogether, making reference to Stratton St Margaret

Parish Council, although no further relevant reasons or evidence were provided in support of this view.

62 *Coleview and Nythe* - Specific submissions were received at the initial stage of the review relating to the Coleview and Nythe area of the parish of Stratton St Margaret:

- A submission was received based on an information sheet that had been distributed to households in Coleview and Nythe. The sheet asked residents to return a slip confirming “I/We are satisfied that we reside within the Parish of Stratton St Margaret and wish to remain so, and urge that the Review of Parish Governance being conducted by Swindon Borough Council endorse this view.” A total of 123 slips have now been returned, and a further ten email responses, in agreement with this statement.
- A submission at the initial stage of the review was also received suggesting a reduction in size of the existing Stratton St Margaret Parish Council and the creation of a Lower Coleview and Nythe Parish Council. To support this, a survey had been conducted of 2,000 properties which would form the new parish council, made up of the polling districts CDA and CDB. The survey received a 10.1% response rate (206 responses) with 83.5% of respondents agreeing that a “Coleview and Nythe Parish Council would better meet their community.” A further letter of support for this proposal has also been received, together with a letter opposed to it.
- Three responses were received supporting the idea of Coleview being removed from the existing parish boundary, one of these submissions went further suggesting that the existing Stratton St Margaret Parish was too large and that “south of Oxford Road or the railway line should be released to another Parish Council”. The respondent stated that whilst living in Ermin Street they had “no issues” with the service provided by Stratton St Margaret Parish, however, since moving to the Coleview area they felt there was a “lack of interest and support in this area by the Parish Council.” The respondent continues that he felt “we would get more attention from Covingham Parish Council should the boundaries change in favour of Coleview joining the Covingham Parish.

63 At the final stage of the review a counter proposal to that mentioned above, for the creation of a Coleview and Nythe Parish council has been received. It recommends a new parish of Nythe, shown in **Appendix F**, to be created rather than a new parish of Coleview and Nythe. It is proposed that only the residents in properties within the polling district of CDB will form part of this revised proposal. The total number of properties within this area currently stands at 1,138 housing 2,131 registered electors. The map identifies the revised area for the proposed new parish of Nythe.

- 64 A door to door survey was carried out by Councillor Dale Heenan covering 1,138 properties. Of those properties, Councillor Heenan reports that 210 households responded regarding the proposal to form a new parish council of Nythe.
- 65 The overall results from the survey at this second stage in the review can be seen in the proposal submitted by Councillor Dale Heenan. However, the most important question asked was “Who thought that a Nythe parish council would best serve the community?” It is reported that 89.3% of those responding to the survey said ‘Yes’ to this question.
- 66 Further information to provide a clear understanding of the wishes of the electorate within the Nythe area has been extracted from the survey conducted by Stratton St Margaret Parish Council. Question 1 taken from the parish council survey asked residents the following question. “Would you like the parish boundary of Stratton St Margaret to stay as it is (Subject to the proposed changes below)? Of those residents from the CDB area, there were 101 replies of which 71 answered Yes to the question and 30 answered No to the question. Therefore 70.29% of residents who responded to the survey, from the area affected by these proposals, wanted to stay within the Stratton St Margaret Parish. However, this needs to be balanced against the fact that this figure only represents 4.7% of the electorate.
- 67 The proposal submitted by Councillor Dale Heenan provides further rationale for the creation of a new parish of Nythe. These include;
- *Resident disengagement in democracy* – supported by the fact that there has been only one contested parish election since 1985 in the Coleview and Nythe parish ward. This may be viewed alongside the statistics for contested elections in all the parishes within the Borough, whereby, only 10 contested parish elections have taken place since 2000.
 - *Nythe shopping parade* – the residents of Nythe are provided for, by a range of community facilities. These include the shopping parade, the Nythe Community Centre, Nylands School and Greenbridge playing fields and rugby club
 - *Royal Mail* - The postal addresses for the properties within Nythe do not contain reference to Stratton.
 - *History* – The CDB area currently forms part of the Covingham and Dorcan Ward and has no connection with St Margaret Ward. When the Stratton St Margaret Parish was originally formed it was a small village and has subsequently grown and changed over time. The area of Nythe is separated from the rest of the parish by the Dorcan way and therefore is distinctly independent by the nature of its geographical position.
 - *New parish council* – Research has taken place that identifies the viability of a new parish of Nythe. It revealed that 8 residents indicated that they would stand for election as parish councillor should a new parish of Nythe be formed.

- 68 There is also the question of financial viability and whether or not a new parish can comfortably sustain itself. To ensure this is the case the Borough has provided The Working Group with a provisional expenditure level for the new parish council and any affects to the residents within the remaining area of Stratton St Margaret Parish Council. The table below reflects possible financial outcomes;

	Stratton	Nythe	Stratton excl Nythe
Number of Properties	9,956	1,138	8,818
Estimated Tax Base	7,274.5	831.5	6,443
Tax Base as % of Households	73.1%	73.1%	73.1%
2013-14 Stratton Charge per Band D Equivalent	£105.52	£105.52	£105.52
2013-14 Swindon Average Charge per Band D Equivalent		£63.07	
Income Raised (at Stratton level of charge)	£767,627	£87,742	£679,885
Income Raised (at Swindon average charge)		£52,443	
Smallest Swindon Parish Precept	0	0	0
Average Swindon Parish Precept	123,669	123,669	123,669
Largest Swindon Parish Precept	£767,627	£767,627	£767,627

- 69 From this it can be deduced that the level of precept for the new parish would be £88k at the Stratton level of Band D charge and £52k at the Swindon average. Both are viable and within the average parameters of Swindon precepts. The impact on Stratton St Margaret Parish Council would be to reduce its income by £88k (11.4%) which would be significant to manage in a single year
- 70 Two separate emails have been received that both indicate support of the creation of a new parish called Nythe.

- 71 The original proposal for the creation of a Coleview and Nythe parish has been replaced by a counter proposal requesting the creation of a Nythe Parish consisting of electors only within the CDB polling district.

Recommendation - There have been several proposals made to change the existing boundaries of the parish of Stratton St Margaret. The recommendations for change below take into account all submissions received both at the initial stages of the review and the final stage and it is recommended that the area of the Parish should be altered as follows

- *Stratton Woods* – it is recommended that the proposed change to the parish boundary to incorporate the whole of Stratton Woods to within Stratton St Margaret Parish Council is agreed. The Borough Council will formally make a proposal to the Boundary Commission for England regarding the matter of moving the ward boundary to align with the proposed parish boundary.
- *Groundwell and Hyde Road* – it is recommended that there is no change to the existing parish arrangements in this area. There has not been sufficient evidence presented to The Working Party from the residents affected by this proposal, to support this change. The law requires a demonstration of community engagement with proposals put forward and The Working Party cannot be clear from the evidence provided that a strong enough case has been made to support the proposals.
- *Boundary with South Marston* – It is recommended that the eastern boundary of South Marston parish with Stratton St Margaret parish be amended as proposed by South Marston Parish Council as the proposals provide greater clarity as to the identities of each of the Parishes and provide a distinct boundary using Honda's test straight as a clearly defined boundary. Accordingly, it has been demonstrated that such change would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community in that area
- *Headlands Grove* – Further consultation of the residents affected by the proposed change was carried out, and it is clear from the outcome that the residents of Headlands Grove, Jefferies Avenue, Marsland Road, Masfield Avenue (part) and Wheeler Avenue (polling district GPE) support the proposals put forward by Stratton St Margaret Parish Council. It is therefore recommended by The Working Party that the proposals to re-align the parish boundary to include these properties mentioned above be accepted on the basis that such change would secure more effective and convenient community governance within the area and better reflect the identities and interests of the community in that area.
- *Renaming of parish wards* – It is recommended that the change of name of St Philip ward to Upper Stratton ward, and the change of name of St Margaret ward to Lower Stratton ward be supported.

Further consultation was identified in the draft proposals, showing evidence to support the renaming of Merton Parish Ward. This parish ward was created as part of the Borough Council's electoral review and as such, cannot be changed without support of the residents for a period of 5 years. No evidence of support by electors in this area was received and so it is recommended by The Working Group that the Merton Parish Ward is not renamed

- *Coleview and Nythe* – The revised proposal received during the final stages of the review requested the creation of a Nythe Parish Council. This request was made as a result of a door to door survey conducted by Councillor Dale Heenan. Although it was reported that 210 households were available for comment and of those 89.3% were in favour of a Nythe Parish Council, no evidence has been submitted to support the proposal. As a result of no clear evidence to support the creation of Nythe Parish Council, The Working Group has recommended that the proposal could not be supported and therefore there will not be a separation of Nythe from the Stratton St Margaret Parish Council

Wanborough

- 72 Wanborough Parish Council indicated it wished to see no change to its existing parish boundaries during the initial stage of the review. No further representations have been made at the final stage of the review.
- 73 Two further responses were received making representation in support of Wanborough Parish Council, although no further details or information was provided.

Recommendation - It has been recommended Wanborough parish should not be abolished and that its area should not be altered and that there be no change to the parish arrangements relating to Wanborough.

Wroughton

- 74 One proposal was received in respect of Wroughton Parish concerning the expansion of West and Middle Wichelstowe in future years, but no firm proposals were made. No other representations have been received at the final stage of the review.
- 75 It was suggested as part of the draft proposals that Wroughton Parish Council may wish to consider warding the parish as this could cut costs in the event of any by-election. This may also be particularly relevant in relation to the future of the Wichelstowe development.
- 76 Wroughton Parish Council have responded to this suggestion during the final stages of the review. They have made representation that they do not wish for the parish to be warded.

Recommendation - It is therefore recommended that Wroughton Parish should not be abolished and that its area should not be altered and that there be no change to the parish arrangements relating to Wroughton.

Un-parished areas

Eastcott

- 77 Two emails were received at the initial stage of the review concerning the un-parished area of Eastcott although no formal submission or evidence was submitted. No further submissions have been received to support the perishing of this currently un-parished area.

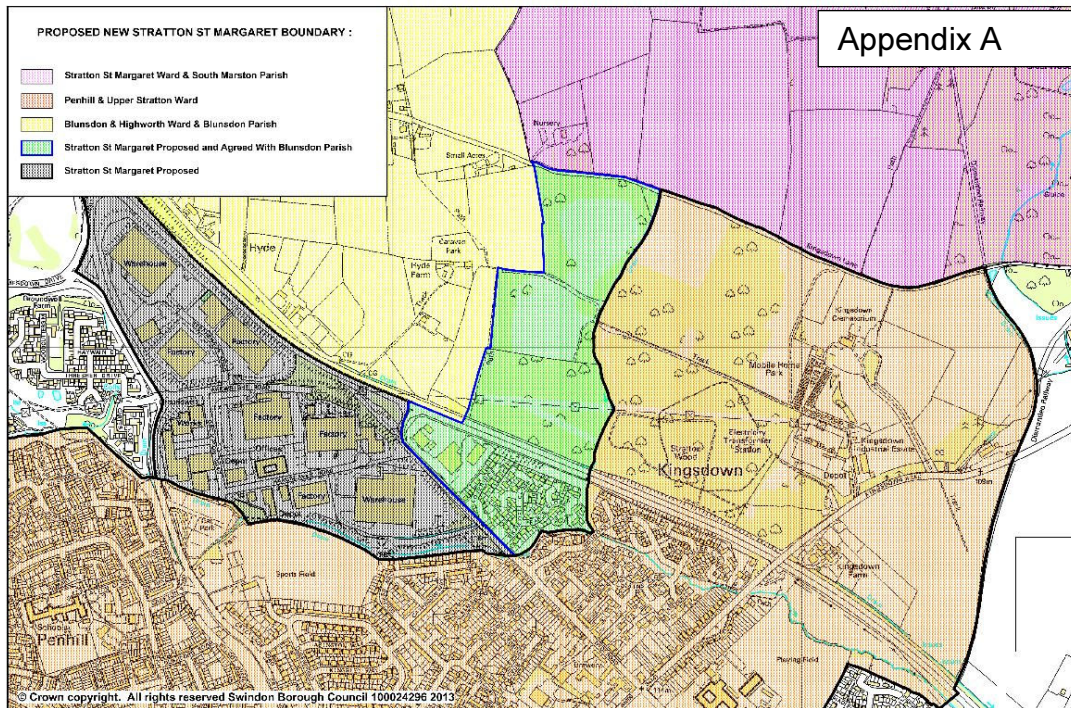
Recommendation - It is recommended therefore that no parishing of this area will take place as there is no evidence of any significant appetite for change received from local residents. It has not been demonstrated that such change would secure more effective and convenient community governance within the area or better reflect the identities and interests of the community in that area.

Remaining un-parished areas:

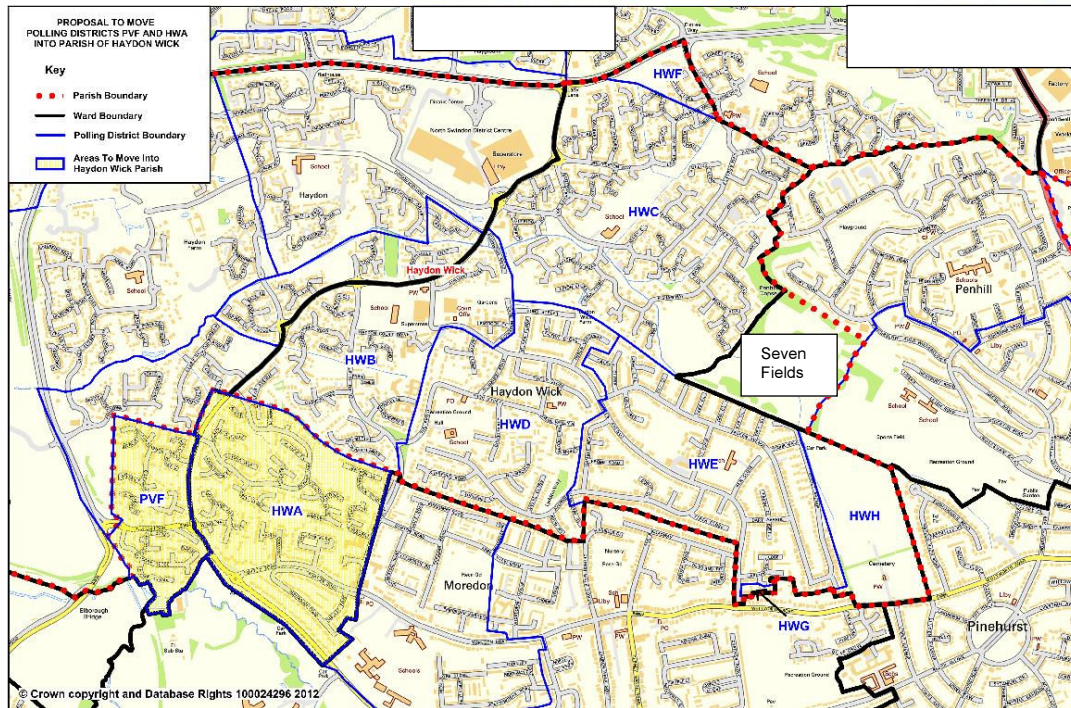
- 78 No comments other than those referred to above have been received regarding any other unparished areas of the Borough and no final proposals are recommended in relation to those areas.

Responding to the Borough Council's Final Proposals

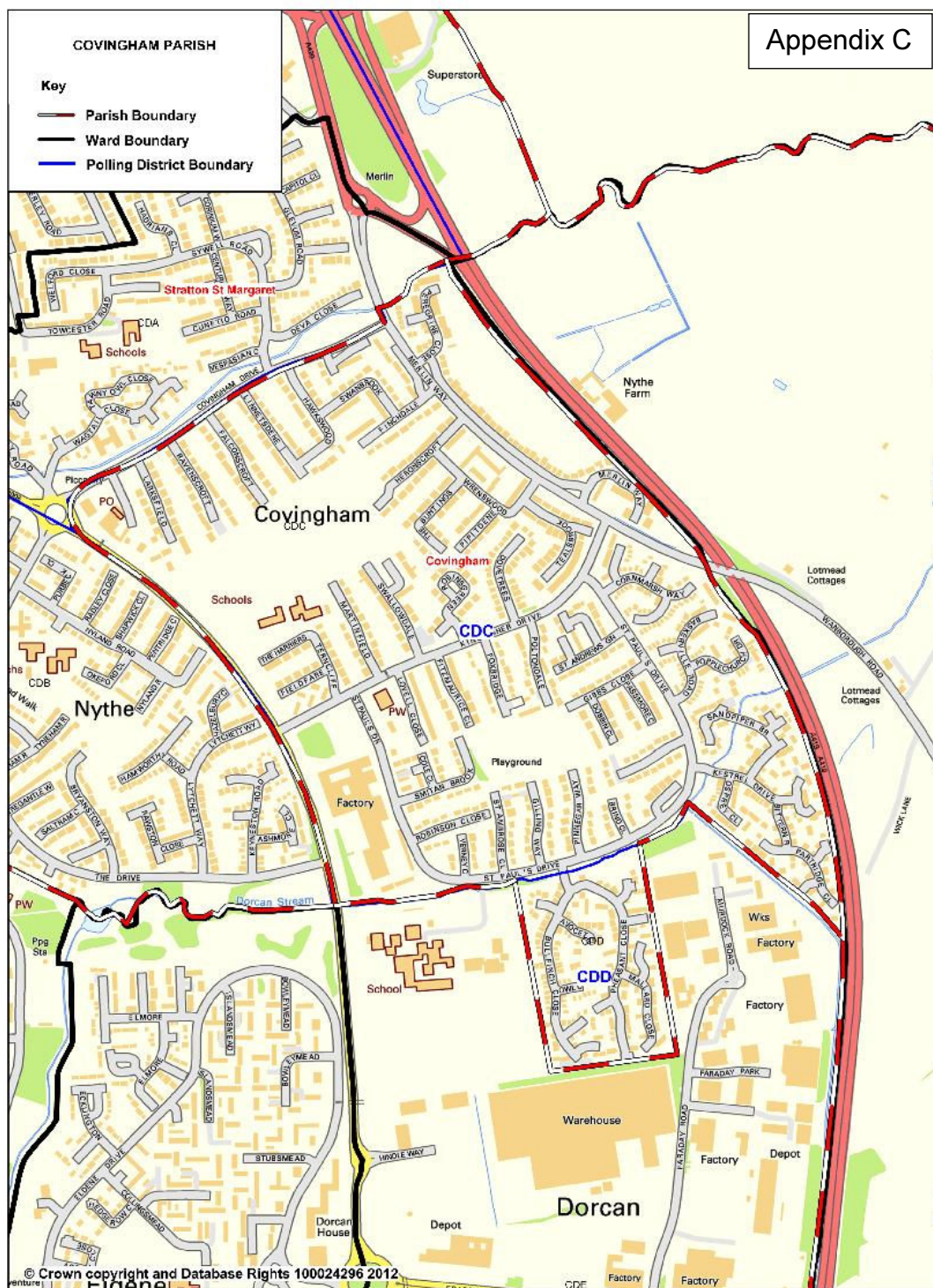
- 79 Maps showing the existing and recommended parish boundaries are available on the Borough Council's website or can be requested from Electoral Services, Swindon Borough Council, Euclid Street, Swindon SN1 2JH (phone: 01793 464601 or email: elecereg@swindon.gov.uk).
- 80 Cabinet will consider the recommendations on 20th March proposed by The Working Party. The final recommendations resulting from Cabinet will be presented to Council on 11th April. Subsequent to full council approval, the Council will prepare the necessary Community Governance Order in May 2013.
- 81 It is expected that changes to parish arrangements will take effect when appropriate but not before the date of the next scheduled parish elections in May 2014. It is probable that the electoral arrangements of the parishes affected by any changes agreed, may result in extending or reducing the current term of office of their councillors.

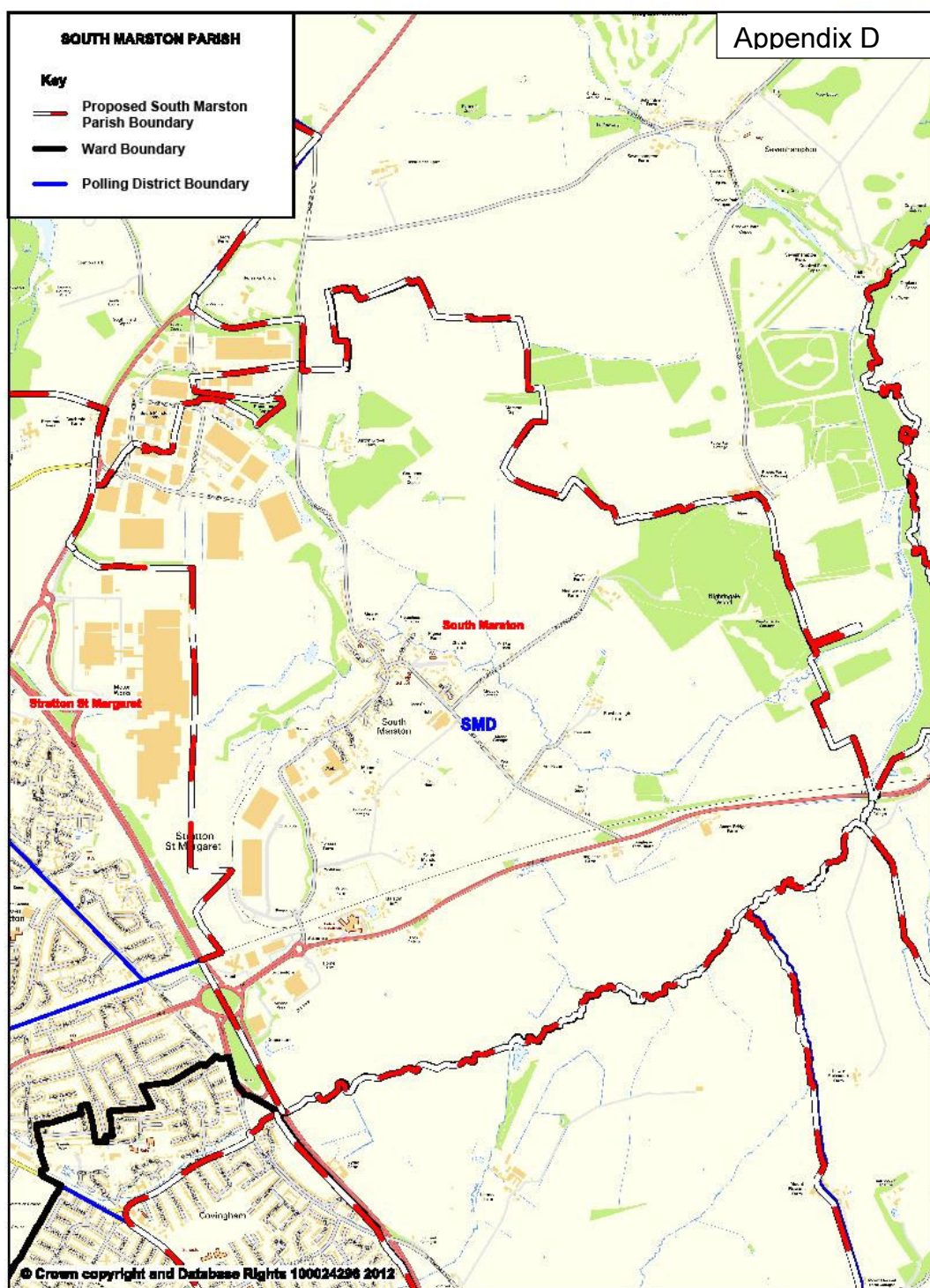


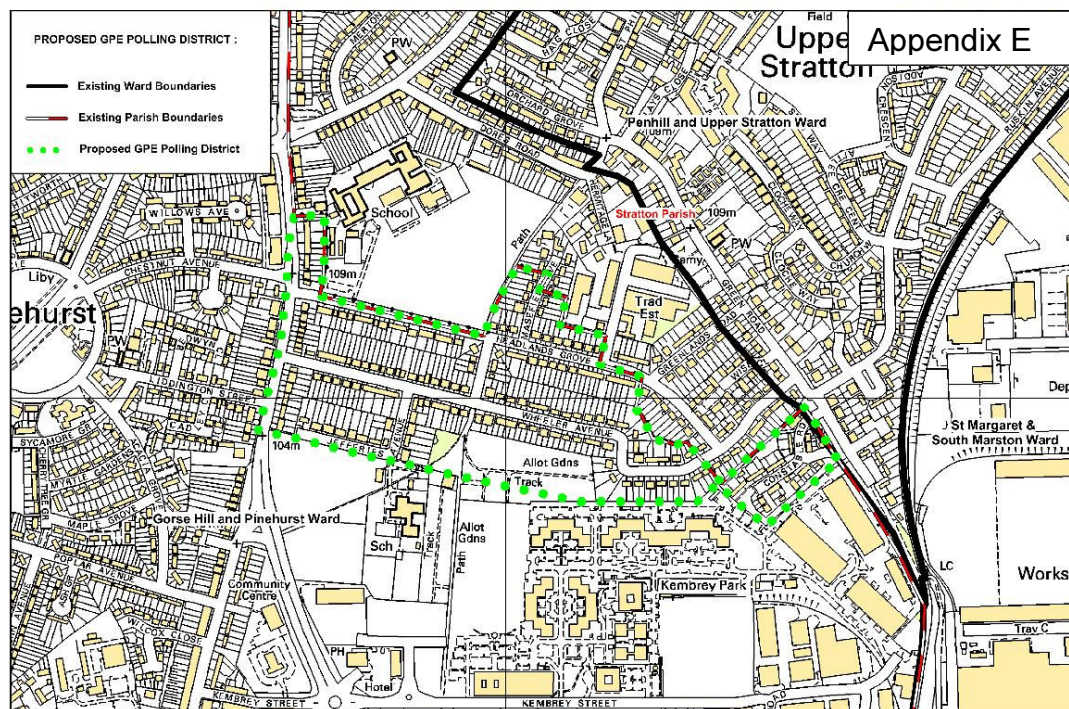
Appendix A

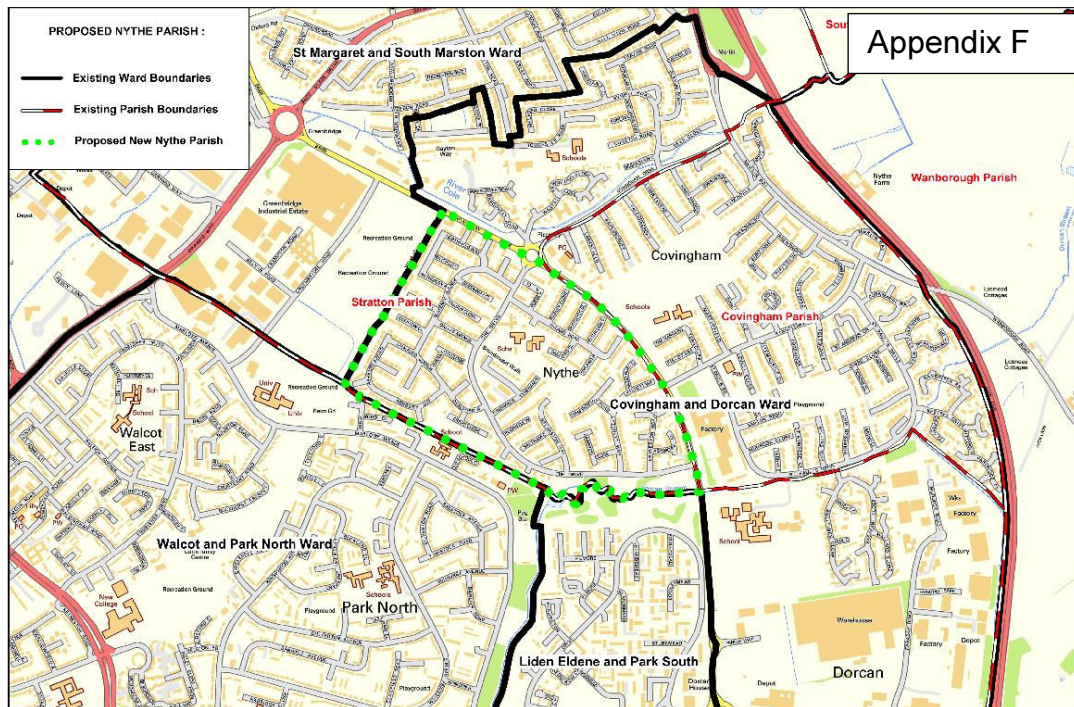


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Community Governance Review

Corporate Governance Review Working Group Date: 2 April 2013

Author: Director of Law and Democratic Services

Wards: Covingham and Dorcan

Locality Affected: East

Parishes Affected: Stratton St Margaret

1. Purpose and Reasons

- 1.1 This report is to enable the Corporate Governance Review Working Group ('the Working Group') to consider a petition presented at Cabinet on Wednesday 20th March 2013 requesting a Nythe Parish Council be created, in order that the Working Party can make a recommendation thereon to Council at its meeting on 11th April 2013.

2. Recommendations

- 2.1 The Working Group is recommended to consider the petition and advise Council at its meeting on 11th April 2013 as to whether it wishes to change its recommendation at its meeting on 7th March 2013 that a separate Nythe parish not be created.

3. Detail

Timetable of events

- 3.1 The Terms of Reference for the Community Governance Review sets out a timetable of stages for the receipt of formal proposals. The final stage of this review closed on Monday 18th February 2013.
- 3.2 At its meeting on Wednesday 20th March 2013, however, Cabinet received a petition in support of a submission made prior to the 18th February 2013 requesting that a Nythe Parish Council be created, and Cabinet have referred the petition to the Working Group for further consideration.
- 3.3 The recommendation of the Working Group will be reported to Council at its meeting on 11th April 2013. Council will then authorise the necessary Changes Order to be made which will be done in May 2013. The first of the parish changes will come into effect in May 2014 in line with the appropriate parish electoral cycle.

Background

- 3.4 The Working Group presented a scheme of final recommendations to Cabinet on Wednesday 20th March 2013. The Working Group took a considered, balanced and evidence-based approach in reaching conclusions at this stage in the
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Further information on the subject of this report can be obtained from Stephen Taylor, Direct Dial Telephone Number (01793) 463012, staylor@swindon.gov.uk.

Community Governance Review

Corporate Governance Review Working Group Date: 2 April 2013

proceedings, having regard to the statutory criteria which is that any scheme must reflect effective and convenient governance.

- 3.5 One of the recommendations of the Working Group was that a separate parish for Nythe should not be created based on the evidence submitted. At Cabinet on 20th March 2013 a petition was submitted by Councillor Heenan containing 229 names of residents within the area known as Nythe, requesting that a Nythe Parish Council be created. Cabinet has asked the Working Group to consider the petition and advise the Council whether it wishes to change that recommendation.

Proposal previously considered by the Working Party in relation to Nythe

- 3.6 A submission made at the initial stage of the review, proposed that a new parish of Coleview and Nythe be created from the polling districts SMC, CDA and CDB. It was recommended by the Corporate Governance Working Group that further evidence in support of this proposal should be sought from the residents of these areas. This would establish a clear understanding of the wishes of those affected by this proposed change.
- 3.7 A revised proposal was then submitted by Councillor Dale Heenan recommending a new parish of Nythe to be created consisting of properties within the polling district of CDB only. The total number of properties within this area currently stands at 1,138 and houses 2,131 registered electors.
- 3.8 Councillor Heenan stated that he carried out a door to door survey covering 1,138 properties. Of those properties, Councillor Heenan reported that 210 households responded regarding the proposal to form a new parish council of Nythe. No evidence was received at this stage to validate the proposals. The question was asked, "Who thought that a Nythe parish council would best serve the community?" It was reported by Councillor Heenan that 89.3% of those responding to the survey said 'Yes' to this question. It is not clear from the information provided in the proposal if all residents in the 210 households were consulted.
- 3.9 Further information to provide a clear understanding of the wishes of the electorate within the Nythe area was extracted from the survey conducted by Stratton St Margaret Parish Council. Question 1 in the parish council survey asked residents the following question. "Would you like the parish boundary of Stratton St Margaret to stay as it is (Subject to the proposed changes below)? Of those residents from the CDB area, there were 101 replies of which 71 answered Yes to the question and 30 answered No to the question. Therefore 70.29% of residents who responded to the survey, from the area affected by these proposals, wanted to stay within the Stratton St Margaret Parish. This represents 4.7% of the electorate.

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Community Governance Review

Corporate Governance Review Working Group Date: 2 April 2013

- 3.10 A survey was also carried out by Mr Brian Cockbill to support the statement “I/We are satisfied that we reside within the parish of Stratton St Margaret and wish to remain so, and urge that the Review of the Parish Governance being conducted by Swindon Borough Council endorse this view”. From this survey, there were 45 signatures from residents of the CDB area requesting they remain within the Stratton St Margaret parish. This survey adds an additional 2.1% of electors wishing to stay within the Stratton St Margaret parish.

4. **Additional Evidence received in support of the creation of a Nythe Parish Council**

- 4.1 It is imperative that proposals are accompanied by detailed and reasoned arguments and any supporting evidence. The final proposals must reflect both effective and convenient local government, in accordance with the statutory criteria.
- 4.2 Further evidence has been received at Cabinet on 20th March 2013 requesting that a Nythe Parish Council be created. The area affected by this change covers the CDB polling district and can be seen at **Appendix A**.
- 4.3 The petition received contains 229 signatures from residents in CDB polling district and reads as follows:
- “A Nythe Parish Council – Petition to form a Nythe Parish Council in 2014 - We request that Swindon Borough Council creates a Nythe Parish Council as part of the Community Governance Review because we believe this would better reflect local community identity, be more effective and accountable than the existing governance arrangement, improve democracy with the first contested parish election since 1997, and could save every household in the area up to £70 a year with a lower parish precept. Nythe covers the CDB polling district for Swindon Borough Council, and the boundary is west of Dorcan Way, south of the Greenbridge fields, north of Dorcan stream and west of Ashbury Avenue and the Drive”.*
- 4.4 Emails have also been received from interested parties. 25 emails in support of a Nythe Parish Council (2 Independent and 23 submitted by Councillor Heenan).
- 4.5 An overall evaluation of the survey responses received to date show that of those residents in the CDB polling district responding to the surveys mentioned above, 10.7% of residents agree to a new Nythe Parish Council, and 5.3% wish to stay within the Stratton St Margaret parish. Any further analysis will be reported to the Working Group at its meeting on 2nd April 2013.
- 4.6 Provisional expenditure level for the creation of a new parish council and any affects to the residents within the remaining area of Stratton St Margaret parish has previously been reported to the Working Group and is as set out below;

Further information on the subject of this report can be obtained from Stephen Taylor, Direct Dial Telephone Number (01793) 463012, staylor@swindon.gov.uk.

Community Governance Review

Corporate Governance Review Working Group Date: 2 April 2013

	Stratton	Nythe	Stratton excl Nythe
Number of Properties	9,956	1,138	8,818
Estimated Tax Base	7,274.5	831.5	6,443
Tax Base as % of Households	73.1%	73.1%	73.1%
2013-14 Stratton Charge per Band D Equivalent	£105.52	£105.52	£105.52
2013-14 Swindon Average Charge per Band D Equivalent		£63.07	
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Income Raised (at Swindon average charge)		£52,443	
Smallest Swindon Parish Precept	0	0	0
Average Swindon Parish Precept	123,669	123,669	123,669
Largest Swindon Parish Precept	£767,627	£767,627	£767,627

- 4.7 From this it can be deduced that the level of precept for the new parish would be £88k at the Stratton level of Band D charge and £52k at the Swindon average. Both are viable and within the average parameters of Swindon precepts. The impact on Stratton would be to reduce its income by £88k (11.4%) which would be significant to manage in a single year.

5 Alternative Options

- 5.1 No specific option is being proposed.

Further information on the subject of this report can be obtained from Stephen Taylor, Direct Dial Telephone Number (01793) 463012, staylor@swindon.gov.uk.

Community Governance Review

Corporate Governance Review Working Group Date: 2 April 2013

6 Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 6.1 There are no specific Financial or procurement implications arising from this report. The implications of establishing a new parish council for Nythe are highlighted within the report.

Legal and Human Rights Implications

- 6.2 Legal and Human Rights implications have been taken fully into account in the preparation of this report. It is considered that the recommendations of the report are compatible with Convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 6.3 There are no other direct implications associated with this report.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 6.4 There are no specific links.

Diversity Impact Assessment

- 6.5 A Diversity Impact Assessment (DIA) has not been undertaken at this stage.

Risk Management

- 6.6 There are none linked to this report although failure to comply with the statutory procedures would be a legal and reputational risk to the Council.

7. Consultees

The Board Director Resources (Section 151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

8. Background Papers

- 8.1 The petition

9. Appendices

- 9.1 Appendix A – Map identifying polling district CDB

Corporate Governance Review Working Group Date: 2 April 2013

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Extract from report of the Director of Law and Democratic Services to the Corporate Governance Review Working Group on 7th March 2013

Motions at Council Meetings

- 3.15 The Leader of the Council has asked the Review Working Group to consider an amendment to the Council's Standing Orders to prevent notices of motions from Councillors being considered at the Annual Meeting of Council, or at an extraordinary (special) meeting of the Council. It is understood that the reason for this is that Annual Council and extraordinary meetings of Council are convened primarily to be focused on particular issues and if notices of motion are allowed to be debated then this shifts the focus of the meeting and detracts from its primary purpose. This would not prevent an item of business being considered by Council that the Mayor considers to be urgent.
- 3.16 If the Working Group is supportive of this proposal it is requested to recommend the Director of Law and Democratic Services, as part of his annual review of the Constitution, he seek to amend Standing Order 4(k) to read –
- (k) To consider notices of motion in the order in which notice has been received, (with the exception of at the Annual Meeting of Council or at an extraordinary meeting of the Council, which is not convened to consider the subject matter of the Motion).
- 3.17 The Leader of the Council's Minority Group has raised concerns about the content of some recent Motions placed before the Council for debate. Specifically, that these sought either to pre-empt decisions to be taken by the Council at a future meeting, or deal with matters that would more appropriately be dealt with on hustings rather than in the Council chamber.
- 3.18 As members will know, the Director of Law and Democratic Services offers advice on the wording of a Notice of Motion but has no discretion to exclude such Motion provided it does not contravene any provision of Standing Orders.
- 3.19 Accordingly, the Review Working Group is asked to consider whether Notices of Motion should comply with any specified criteria before being able to be placed on the agenda for a Council meeting, and if so, what that criteria should be and who should decide it. The views of the Working Group are sought.
- 3.20 The Leader of the Council's Opposition Group has requested that this Working Group give consideration to a proposal that all Councillors and political groups should be required to provide a minimum of 24 hours' notice to Councillors of any proposed amendment to a "Notice of Motion" appearing on the agenda for Council meetings.

- 3.21 There are a number of practical, as well as political, issues raised by this proposal if it is to be considered further for adoption, and so the views of the Working Group are sought.

The 14th Report of the Committee on Standards in Public Life

- 3.22 In its latest report, issued in January 2013, the Committee on Standards in Public Life have reviewed the seven principles of public life. When reviewing the local Code, members agreed that the preamble to the Code should include an expansion of the 7 principles as this was thought helpful. These are set out on page 245 of the current Constitution.
- 3.23 As it would be preferable for Borough Councillors to be acting on the same basis as other holders of public office, it is suggested that the current preamble be amended to accord with that set out in the 14th Report (Appendix 1 refers). It is considered that this aims to achieve consistency rather than introduce any substantive changes.

Statement of Community Involvement in the Planning Process

Cabinet

Date: 20th March 2013

Author: Cabinet Member for Strategic Planning and Sustainability, and
Head of Planning

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1. To seek Cabinet's approval that the 'Swindon Borough Statement of Community Involvement in the Planning Process' be recommended to Council for adoption.

2. Recommendations

Cabinet is recommended to:

- 2.1 Commend Council to adopt the 'Swindon Borough Statement of Community Involvement in the Planning Process' (attached at Appendix 1) and authorise the Head of Planning to make it available in accordance with the arrangements detailed in paragraph 4.1 of this report; and
- 2.2 Authorise the Head of Planning and the Director of Law and Democratic Services to make minor changes to the content of the Statement of Community Involvement in the Planning Process, in consultation with the Cabinet Member for Strategic Planning and Sustainability and the Cabinet Member for One Swindon, Localities and Housing, prior to publication.

3. Detail

- 3.1 The Planning and Compulsory Purchase Act, 2004, (as amended), requires each Local Planning Authority to produce a Statement of Community Involvement (SCI) to set out how the community will be involved in the preparation, alteration and review of planning policy documents, and in the determination of planning applications.
- 1.2. The Borough Council's current Statement of Community Involvement was adopted in January 2007. Changes to the legislative framework, particularly the Localism Act and the publication of the National Planning Policy Framework, together with changes to the Borough Council's operating model on the 'Stronger Together' principles have necessitated a revision to the SCI and thereby ensuring it remains fit for purpose.

Further information on the subject of this report can be obtained from Angela Clack, 01793 466370, azclack@swindon.gov.uk.

Statement of Community Involvement in the Planning Process

Cabinet

Date: 20th March 2013

-
- 3.2 On 17th October 2012, Cabinet resolved to recommend to Council that the Draft revised Swindon Borough SCI be subject to a period of public consultation. Following approval by Council on 8th November 2012, this consultation was undertaken between 13th November 2012 and 8th January 2013.

Comments received to the draft SCI

- 3.3 A total of 42 comments were made to the draft SCI and these mainly related to the following:
- Consultation procedures for the consideration of planning applications
 - Ensuring that relevant bodies are consulted during the preparation of development plans and in the consideration of planning applications
 - The availability of information to the public when a planning application is being considered by the Council, for example, copies of planning applications made to Parish Councils and the ease of downloading material from the website and completing online response forms.
- 3.4 A schedule of comments received on the draft SCI and officer responses to those comments is attached at Appendix 2.
- 3.5 The draft SCI has been revised where appropriate to address the issues raised through the consultation and the proposed final SCI is attached at Appendix 1.

4. Next Steps

- 4.1 Once adopted, copies of the SCI will be distributed to statutory consultees, including Parish and Town Councils. All consultees who responded during the consultation will also be notified. The document will be made available to view at the offices of Swindon Borough Council (Wat Tyler House) and at all libraries throughout Swindon. The document will also be made available to view on the Councils' websites.

5. Alternative Options

- 5.1 The Council could continue to rely upon the existing Statement of Community Involvement, adopted in 2007 which refers to planning legislation and processes which have since been changed. This document is out of date and no longer in line with best practice, and it would not meet the Borough and Governments aspiration for meaningful public engagement in the planning process.

Statement of Community Involvement in the Planning Process

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6. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 6.1 The financial implications arising from publishing the Statement of Community Involvement are to be met from existing Forward Planning budgets.

Legal and Human Rights Implications

- 6.2 It is not envisaged that the content of this report will have a direct implication upon human rights issues, in so far as greater opportunities will be available to individuals to partake in the planning process. The SCI will seek to improve the quality of consultation for Swindon's residents and stakeholders, building on the principles of basic human rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 6.3 The Council has a duty to ensure that the SCI is in accordance with the sustainability principles of the National Planning Policy Framework.

Links to One Swindon, Strategic Objectives, Plans and Policies

The SCI links to the Corporate Plan's priorities and objectives that have a spatial dimension, in particular the Community Strategy.

Diversity Impact Assessment

- 6.4 A Diversity Impact Assessment has been undertaken and there are no significant implications arising from this report. The SCI will require that all sections of the community, including those that are regarded as "hard to reach" are engaged in planning matters.

Risk Management

- 6.5 There is a risk that the SCI will become out-dated to help avoid this, the SCI will be reviewed regularly to ensure that it fit for purpose.

7. Consultees

- 7.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer), Board Director for Localities and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

8. Background Papers

- 8.1 Cabinet Report and Minutes 17th October 2012, Item 54.
-

Further information on the subject of this report can be obtained from Angela Clack, 01793 466370, azclack@swindon.gov.uk.

Statement of Community Involvement in the Planning Process

Cabinet

Date: 20th March 2013

9. Appendices

- 9.1 Appendix 1: Revised Swindon Borough Statement of Community Involvement in the Planning Process
- 9.2 Appendix 2: Comments and Officer responses to the Draft Revised Statement of Community Involvement Consultation

10. Key Decision/Decision in Forward Plan

- 10.1 This is not a Key Decision and is included in the Cabinet Forward Plan for March 2013.

Revised Statement of Community Involvement in Planning

March 2013

Copies of this document can be obtained from;

Planning
Swindon Borough Council
5th Floor, Wat Tyler West
Beckhampton Street
Swindon Borough Council
SN1 2JH

Telephone: 01793 466513

www.swindon.gov.uk

Whilst every effort has been made to ensure the accuracy of the data, neither the Borough Council nor its officers can be held responsible for errors contained in the report. Nevertheless, any comments concerning errors or omissions will be welcome.

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FOI 3929/12

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INTRODUCTION

1. What is the Statement of Community Involvement in Planning?

- 1.1 This draft Revised Statement of Community Involvement in Planning sets out how the Council intends to achieve continuous community involvement with local and statutory stakeholders in the preparation of development plan documents and in carrying out the development management function for the assessment of planning applications. The Council is required to produce a Statement of Community Involvement in order to meet the requirement of the Planning and Compulsory Purchase Act 2004 (as amended). The preparation of the Statement of Community Involvement is a legal requirement and once adopted, the Council will comply with these requirements for community engagement on planning matters.
- 1.2 Effective and widespread involvement of communities in the planning process is a key objective of the planning system. Involvement of communities in the emerging Swindon Borough Local Plan 2026 (formerly the Core Strategy) preparation process helps to ensure that as many people as possible are aware of the process, that they understand it, that they are able to contribute to it and that they can influence its content.
- 1.3 There are many benefits of community consultation for the Council, developers, landowners, organisations and individuals.

Benefits of community consultation for the Council are:

- more informed and involved communities
- less delays in the determination of planning applications
- a reduction in the number of objections to policies and plans
- the strengthening of the delivery of plans and proposals
- the greater sense of public ownership and support for the Council's activities

Benefits of community consultation for organisations and individuals are:

- the ability to influence the decision-making process
- greater public ownership and sense of democracy
- local services that meet local needs and priorities
- a better understanding of the planning system
- the ability for organisations and individuals to influence the concept and design of development schemes

Benefits of community consultation for developers and landowners are:

- the opportunity for the developers to explain their proposal
- less delays in determining applications
- more certainty about the outcome
- the creation of sustainable and acceptable developments
- a reduction in the number of objections for proposed developments

2. How the SCI links with other plans and strategies

Local Strategic Partnership

- 2.1. One Swindon Partnership formerly known as Swindon's Local Strategic Partnership was formed in 2003 and is made up of representatives from the public sector, voluntary groups, the community and local businesses. The Partnership aims to bring together the organisations and groups that are involved in making decisions that affect the future well-being of people in Swindon.
- 2.2. The One Swindon Partnership will be consulted upon the content of Swindon's Development Plan Documents (DPDs) whenever possible and the Council will ensure that development plans are closely integrated with the Community Strategy.

The Sustainable Community Strategy 2008-2030

- 2.3. The Sustainable Community Strategy: A Shared Vision for Swindon, 2008-2030 was prepared by Swindon's Local Strategic Partnership in 2008 and has a set of goals and actions which they, in representing the residential, business, statutory and voluntary interests of an area, wish to promote.
- 2.4. The Community Strategy has six major themes that are linked and are dependent on one another for successful delivery of the overall vision.

The six main themes are:

1. Swindon: A destination of choice
 2. All Swindon people are benefiting from our growing economy
 3. We have safeguarded our environment for future generations
 4. A healthy, caring supportive place
 5. A place where high aspirations are supported by superb education provision for all ages
 6. A place where local people can have real influence and where they feel safe
- 2.5. There is a requirement for development plans, in particular the emerging Local Plan to demonstrate how it is delivering the Sustainable Community Strategy.

One Swindon

- 2.6. One Swindon will guide the planning and budget decisions of the Council and other members of the One Swindon Partnership over the period 2011-2015. It sets out the priorities for Swindon and more importantly signals a shift in the way that the Council will need to work to make Swindon the best place it can be. The following priorities for One Swindon have been developed:

- I like where I live
- We can all benefit from a growing economy and better town centre
- Everyone is enjoying sports, leisure and cultural opportunities
- Living independently, protected from harm, leading healthy lives and making a positive contribution.

The Swindon Compact

- 2.7. The Swindon Compact has been developed to establish collaborative working between the voluntary and community sector. The Compact sets out a framework which reinforces and enhances the working relationship between the voluntary and community sector based on shared values and mutual respect. All the organisations that have signed up to the Swindon Compact are committed to resolving any difficulties together and in an equitable manner.
- 2.8. The Swindon Compact has a series of agreements that all parties have agreed to abide by. The agreements which are relevant to planning and community consultation are:
- that the Council will consult with the voluntary and community sector on issues that affect it and take account of their views in any decisions. This will include allowing sufficient time for the Council to carry out consultation with the community
 - that the Council will involve the voluntary and community sector in developing policies and strategies that affect the sector or its services
 - all partners agree to promote and support the wide and active participation of all Swindon people in local democratic consultation and participation processes

Section 1: Development Plan Documents

3. Consultation and Engagement

- 3.1. Swindon Council is committed to actively involving and consulting the local community and all other relevant stakeholders in the planning process from an early stage.
- 3.2. The Planning and Compulsory Purchase Act 2004 (as amended) specifies three types of organisation that the Council should consult when preparing development plans. These organisations are the 'specific consultation bodies'¹, the 'general consultation bodies' and the 'other consultation bodies'.
- 3.3. The specific consultation bodies are organisations responsible for services, utilities and infrastructure provision, Parish and Town Councils in and adjacent to the Borough and major land owners. The following specific consultation bodies will be consulted upon all development plans:
- The Environment Agency
 - English Heritage
 - Natural England
 - Network Rail
 - Highways Agency
 - any relevant authority, any part of whose area is in or adjoins the area of the local planning authority such as:
 - a local planning authority
 - a county council
 - a parish or town council
 - a police authority
 - any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003
 - any person who owns or controls electronic communications apparatus situated in any part of the area of the local authority
 - any of the bodies from the following list who are exercising functions in any part of the area of the local authority:
 - primary care trust
 - person to whom a license has been granted under Section 7(2) of the Gas Act 1986
 - sewage undertaker (incl. Thames Water as the principle undertaker within the Borough)
 - water undertaker (incl. Thames Water as the principle undertaker within the Borough)
 - the Homes and Communities Agency

¹ The specific consultation bodies, the general consultation bodies and the other consultation bodies are listed in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended, 2011).

- 3.4. The general consultation bodies are also listed in the regulations. The regulations identify five types of bodies as general consultation bodies that relate to voluntary organisations representing certain groups within the community. The general consultation bodies are:
- voluntary bodies some or all of whose activities benefit any part of the council's area
 - bodies which represent the interests of:
 - different ethnic or national groups in the local authority's area
 - different religious groups in the local authority's area
 - disabled people in the local authority's area
 - people carrying on business in the local authority's area
- 3.5. Depending on the plan being produced, it may be appropriate to consult with other agencies and organisations in addition to those identified as specific or general consultation bodies. The following list provides some examples, but it is not exhaustive.
- Area of Outstanding Natural Beauty Partnership
 - Age UK
 - Environmental groups, for example Campaign to Protect Rural England and Royal Society for the Protection of Birds
 - Home Builders Federation
 - Sport England
 - Canal and River Trust (formerly British Waterways)
 - The Woodland Trust
 - Wiltshire Fire and Rescue Service

Duty to Cooperate

- 3.6. The Localism Act (2011) provides a new statutory duty for local planning authorities to co-operate with neighbouring authorities and other public bodies in the preparation of development plans.
- 3.7. In assessing the fulfilment of this Duty, a report has been prepared to set out how the Council has undertaken this duty with neighbouring authorities and other public bodies in relation to the Swindon Borough Local Plan 2026.

Neighbourhood Planning

- 3.8. The Localism Act (2011) introduced new neighbourhood planning provisions for which the Regulations came into force on 6th April 2012. The Localism Act, together with these regulations, places various duties and responsibilities upon the Council in relation to neighbourhood planning.
- 3.9. The Council recognises the value of neighbourhood planning in identifying and articulating local community needs and priorities, improving service delivery and informing policy and strategy within Swindon. Thus, a draft Neighbourhood Planning Protocol for Swindon

has been prepared outlining the level of support that the Council can offer and was made available for consultation in October 2012.

- 3.10. The protocol will assist Parish/Town Councils and Neighbourhood Forums to prepare Neighbourhood Plans and to establish general planning policies for the development and use of land in a neighbourhood. The Neighbourhood Plan should be in conformity with the strategic objectives of the emerging Local Plan.

Swindon Borough Councillors

- 3.11. Swindon Borough Council Members are a vital link between local communities and the Council. As elected representatives they are often the first point of contact that residents have on local planning issues.
- 3.12. The Swindon Borough Council Members are essential to the Council's understanding of the views and issues raised by the community.
- 3.13. Officers of the Borough Council will keep the Swindon Borough Council Members informed of progress of development plans, especially during key consultation stages. The Council will publish information on consultation events in the 'Members Bulletin' and where necessary provide Member training.

Cabinet

- 3.14. Any decision relating to the approval of or variation to the Council's development plans is considered by the Borough Council's Cabinet who will then make recommendations to the full Council of the Borough for final approval.
- 3.15. All Cabinet meetings are open to the press and public (subject to various legislative exclusions) and agendas and minutes are available on the Council's website. There is an opportunity for the public to ask questions of the Cabinet.

Parish and Town Councils

- 3.16. Parish and Town Councils are an important part of the structure of local democracy and have a vital role in acting on behalf of the communities they represent. Parish and Town Councils are statutory consultation bodies and are to be informed of all planning applications in their area. Parish and Town Councils are able to make representations on development proposals, produce Parish or Town Plans, village design statements and similar documents.
- 3.17. Parish and Town Councils provide one of the main means of feeding information to local communities. The Borough Council provide training programmes for parish councillors and clerks to inform them of the

production of planning documents and the development management process. The Borough Council's Planning Officers regularly attend Parish Clerk Forums in order to disseminate relevant information.

- 3.18. The Parish and Town Councils and the Council have agreed on a Parish Charter that sets out how they aim to work together. This Charter is the result of discussions to establish a closer way of working and to confirm existing good practice. This is currently under review.

Locality Forums

- 3.19. As part of the re-organisation of the Borough Council, seven localities have been created in the Borough. The Localities provide an opportunity for the Locality Leads to support the Elected Members, Parish and Town Councils, statutory public service partners, for example the police, and members of the community.
- 3.20. The Localities can provide a valuable way of engaging with the public. Every locality holds open meetings throughout the year, and the work of the locality leads also offers other opportunities for the planning team to engage with local residents.

Existing Community Groups

- 3.21. Swindon has many existing community groups, such as residents associations, that will be ideal forums to debate key specific issues or area-based concerns. Chairs and members will be invited to get involved in the early stages of producing spatial planning policy documents and through inviting the community groups to make representations on development planning documents.

Community Planning Forum

- 3.22. The Planning Community Forum was set up in December 2005 to provide an opportunity for a range of organisations and individuals to engage with the planning department. The Forum comprises of stakeholders representing both voluntary and community sectors active in Swindon.

Landowners, developers and businesses

- 3.23. Landowners, developers and businesses include local, regional, national and international companies who are located or have an interest in the Borough. In order to secure continued economic growth it is important to understand the needs of the business community. The timely involvement of businesses is also crucial in helping to secure the infrastructure necessary for the delivery of the development plans, especially the emerging Local Plan. Therefore in addition to the general consultation programme, the Borough Council will seek to further engage through:

- The Swindon Development Delivery Panel which meets quarterly to discuss development issues and seek to overcome barriers to delivery
- Early engagement with developers and infrastructure providers to discuss potential development sites

Hard to reach

- 3.24. The Council considers that there are a number of groups that may be hard to reach.² However the Council recognises that it is important to acknowledge that attitudinal aspects are a contributing factor to people being harder to reach. The Council accepts that it is these attitudes that can be even harder to overcome than demographic aspects.
- 3.25. The Council is keen to address this matter and to tap into a potentially valuable knowledge base of local people that would benefit the development plan process. Early identification of these hard to reach groups is very important if they are to be actively involved in a process where they are likely to be affected by the outcome. The Council also has to meet the requirements of the Equality Act 2010.
- 3.26. The groups that have been identified as being hard to reach within the planning process in Swindon includes the following:
- Black and ethnic minority communities
 - Children and young people
 - Parents
 - Lesbian, gay, bisexual communities
 - Members of the transgender community
 - Those who do not speak English as their first language
 - Older residents of Swindon
 - Disabled people
 - Residents in Swindon's more deprived housing areas
 - People who live in rural communities
 - People who feel disconnected from the Council
- 3.27. Significant progress has already been made in the identification of hard to reach groups by liaising and sharing information with other service areas within the Council (where appropriate and under the restrictions placed on the Council by the Data Protection Act, 1998). Many of these groups are likely to have an interest in the development plan process. However, the identification of additional 'hard to reach groups is an evolutionary process and the Council is committed to its aim of making the planning system in Swindon Borough as inclusive and

² The term 'Hard to reach' is used in this document. The Council is not implying that there is a similarity within the distinct groups. As a result a number of different approaches will be used.

representative as possible by being receptive to new sources of information and consultation techniques

The planning record of interested parties

- 3.28. The Council has a 'planning record of interested parties' who will be the first point of reference that the Council will use when determining which groups should be consulted in relation to each development plan.
- 3.29. If you think that you are already on the planning record of interested parties' and would like to check or amend your details, or alternatively wish to be added or removed please contact us:

Planning Department
Swindon Borough Council
5th Floor, Wat Tyler House West
Beckhampton Street
Swindon
SN1 2JH

Email: forwardplanning@swindon.gov.uk

Telephone: 01793 466513 (during normal office hours)

How Information about you will be used

- 3.30. The information held on the 'planning record of interested parties' is only used for the purposes of the Development Plan Document consultation. The information will not be shared with any other departments of the council unless it is for the purpose of the consultation.

4. Methods of Consultation

- 4.1. The Council must undertake a minimum level of community involvement as laid down by the Planning and Compulsory Purchase Act 2004 (as amended). The Council intends to meet and exceed these minimum requirements to effectively involve the community and to encourage effective participation in the planning system where possible.
- 4.2. The Council is required to do the following minimum levels of community consultation on development plans:
- provide copies of all planning documents and the supporting evidence base on the Council's website
 - make development plans available for inspection, at the Council Office and at such other places within their area as the local

planning authority consider appropriate, during normal office hours, and

- advertise the consultation in local newspapers, stating when and where the relevant material can be inspected, how copies of the relevant material may be obtained, the closing date for any comments and where the comments should be sent

Methods

- 4.3. The Council will use a wide range of methods to engage with the community. The techniques will be described and the strengths and weakness of each consultation methods assessed and displayed in a table is in Appendix 3. Appendix 4 provides further information on engaging with 'hard to reach' communities.

Resources

- 4.4. Effective community involvement requires time and resources for undertaking the consultation activities, making good use of 'the collected information' and feeding the results back into the community. Moreover community consultation is an integral part of the planning process. It is essential that, throughout the preparation of development plans and planning applications, the views of the community and/or individuals are taken into consideration.
- 4.5. The Council will coordinate consultation efforts with other departments within the Council where practical, and will phase consultation on various planning documents to run at the same time to limit 'consultation fatigue' and to maximise the Council's resources.

Proportionality

- 4.6. The Council has to be realistic as to what it can do if development plans are to be prepared in a cost effective and speedy manner. Community consultation must be proportionate to the nature of the plans being prepared, the stage reached in plan making and the impact on the wider community.

Timeliness

- 4.7. Consultation will be encouraged at times when it can make a difference to the shaping of a development plan or a planning decision. Adequate time will be provided for response to both formal and informal consultation. Whenever possible we will aim to exceed the minimum statutory consultation period of six weeks. The Council regularly allows a minimum of eight weeks for development plan documents and advance notice will be given on the Council's website of forthcoming consultation events.

Local Press

- 4.8. Advertisements will be placed in newspapers on the day the consultation period commences. The Council will use the Swindon Advertiser as its principal newspaper for advertisements, although other newspapers such as the Wiltshire Gazette and Herald may also be used when a wider circulation is necessary, for example during minerals and waste consultation.

Hard copy documents

- 4.9. Printed copies of development plans will be available for inspection at Council Offices, public libraries and at the Council's One Stop Shop. The Council will make the document available to purchase for a fee and a postage charge.
- 4.10. The Council will provide information on CD for Parish and Town Councils and for community groups where appropriate. The information can be viewed and distributed as necessary to the wider community.

Letter and email

- 4.11. Every individual, organisation and business on the 'planning register of interested parties' will receive either a letter or an email informing them of the consultation period. If you currently receive information by post and would prefer information by email, please contact the Council.

Council website

- 4.12. The Council will provide information on the planning pages of the Borough Council's website (www.swindon.gov.uk). The website allows direct access to up to date information on the Development Plan Documents. The Council's website will provide access to representation forms during the consultation period. The Council will also make use of community-based websites to publicise planning documents.

Pre-arranged meetings

- 4.13. The Council will endeavour to attend Parish Council, Town Council and community group meetings to discuss development plan documents during consultation periods. The use of interpreters may be appropriate, when engaging with hard to reach groups, to ensure that more people can get involved.

Public exhibitions

- 4.14. The Council will aim to provide, where required, non-staffed public displays for the public to view. Public exhibitions will be advertised in advance to provide local residents and communities with the opportunity to attend.

Drop-in coffee mornings

- 4.15. Drop in coffee mornings are an effective way to encourage people to get involved in informed one to ones, where appropriate. The location and scale of coffee mornings will depend on the type and stage of the development plan.

Summary leaflets

- 4.16. The Council will produce a summary leaflet of the main points of the development plan document where appropriate.

Questionnaires and surveys

- 4.17. The Council may use questionnaires in the earlier stages of development plan preparation to gather the communities' views during the issues and options stages and the preferred options stages.

Engagement with Hard to Reach Groups

Black and ethnic minority communities

- 4.18. The planning department will work collaboratively with the Council's Community and Engagement Officers and through attending pre-arranged community events in more diverse areas. Due consideration will be given to religious festivals that are held throughout the year.

Young People

- 4.19. Where opportunities arise, the Council will attend Youth Partnership Meetings and engage with schools and colleges.

Parents

- 4.20. The Council will seek to hold coffee mornings in different locations, for example, church or village halls and to use the toy library to engage parents with younger children to attend.

People who do not speak English as their first language

- 4.21. The Council may use Engagement Officers and Council translators whenever possible to engage with more members of the community.

Older people

- 4.22. Workshops and events will be arranged during daylight hours and in accessible locations close to transport routes.

- 4.23. The Council will provide information on all development plans on the Council's website along with clear signposting which will identify who to contact for information.

Disabled people and Carers

- 4.24. The Council will hold consultation events in locations with good disabled access, disabled facilities and close to public transport networks.
- 4.25. The Council will use the facilities offered by existing charities, for example, the local Royal National Institute of Blind People who provide the STAN talking newspaper for people with no vision or limited vision. The Council will provide copies of consultation materials in large print, Braille, and audio format on request.
- 4.26. The Council will hold meetings at suitable hours to ensure carers have time to prepare themselves and the person they care for ready.

Residents in Swindon's more deprived housing areas

- 4.27. Established community forums and community newsletters will be used to inform the residents of forthcoming development plan documents. The Council will work collaboratively with the Community Engagement Officers to attend pre-arranged events where higher numbers are guaranteed, for example, 'Family days' or community fairs.

Residents in the Borough's Rural Areas

- 4.28. Use of parish magazines, local shops, village halls and faith communities to publicise planning related matters. Meetings in parish/village halls as appropriate.

Other

- 4.29. Other means of making people aware of planning related issues may include the display of posters and leaflets at post offices, doctors' surgeries, large supermarkets, large and key employers and leisure centres within the Borough.

5.0. Community Involvement

What are Development Plan Documents?

- 5.1. The Planning Act 2004 (as amended) requires that local planning authorities to prepare Development Plan Documents that will guide future planning of development within the Borough.
- 5.2. The emerging Local Plan is an important development plan that sets out the overall long-term strategic vision for the future of Swindon. It will set out how the Council will respond to local priorities, meet the challenges of the future and identify the broad locations, scale and types of development needed with the supporting infrastructure.
- 5.3. The production of the Local Plan should follow the principles of community involvement and should be:
 - appropriate to the level of planning
 - from the outset, leading to a sense of ownership of local policy decisions
 - continuous and part of an on-going programme, not a one off event, with clearly articulated opportunities for continuing involvement
 - transparent and accessible, whilst using methods appropriate to the communities concerned; and
 - planned as an integral part of the process for making plans

Pre-production

- 5.4. The first stage in the process is to gather factual evidence. The Council will gather baseline evidence on key aspects of the social, economic and environmental characteristics of Swindon. This is to ensure that all planning documents are founded on a 'sound' evidence base.
- 5.5. The Council will undertake surveys and seek informal discussions with consultation bodies to develop and keep up to date the evidence base and to ensure that it remains robust.

Production stage

- 5.6. The evidence collected during the pre-production stage will be used by the Council to develop a number of options along with the strengths and weakness. The Council will produce a document that will be used to gather views and ideas on specific issues and to explore a range of realistic options for development in the Borough.
- 5.7. The Council will undertake a round of formal consultation on its 'Issues and Options' report (please note, a number of reports could be produced to encourage debate and discussion) to inform the next stage of the planning document preparation process for a minimum of six weeks.

Publication

- 5.8. The Council will use the evidence base and the comments received at the first two stages to produce a 'publication document'. The Borough Council has to publish its pre- submission development plan and invite comments on it for a minimum of six weeks before submission of the document to the Secretary of State for examination. Only representations made at this stage will be considered at the independent examination.
- 5.9. This minimum six week period will allow organisations and individuals the opportunity to make representations. The representations should comment on the justification of the document, the effectiveness of the document, the consistency of the document and if the document is legally compliant.
- 5.10. After the consultation period has closed, the Council will consider the representations made and if issues are raised at this stage that suggests the development plan is unsound, the Council will consider making changes to the proposed submission document. Depending upon the scale of the changes the Council may re-consult on the changes for a minimum of six weeks.

Submission

- 5.11. After the Council has reviewed the representations and made any necessary changes to the document, it will be submitted to the Secretary of State for formal examination. The Council will be required to submit a summary of the main issues raised during the consultation period and how the Council has taken these representations into account.
- 5.12. The Council must make the development plan available during the examination period in the same way that the proposed submission document was made available to statutory consultation bodies and general consultation bodies. Everybody who made representations will be notified that the development plan is going to the Secretary of State for examination.
- 5.13. The independent Inspector will consider the representations made on the development plan. The Inspector may invite people to make oral representations. At the proposed submission stage there is an opportunity for individuals and organisations to make a case to speak at the examination period at the discretion of the Planning Inspector.
- 5.14. The Inspector will consider the 'soundness' of the planning document in terms of its evidence base, its Sustainability Appraisal and its conformity with the SCI. The Inspector will consider the representations received and the Council's response to the representations.

- 5.15. On receipt of the Inspector's report, if found sound by the inspector, the Council will adopt the document, (with amendments if necessary), as soon as possible, unless directed by the Secretary of State to the contrary.
- 5.16. The Council will e-mail or write to everyone who made representations and inform them of the formal adoption of the DPD. The Council will also display the adoption letter on its website and a notice will be displayed in the local newspaper.

Supplementary Planning Documents

- 5.17. Supplementary Planning Documents expand upon and give greater detail to the policies in the main development plans. They can provide greater detail on specific topics such as affordable housing or provide detail on design for a particular area.
- 5.18. Supplementary Planning Documents are not examined by an independent Planning Inspector however they are still subject to a process of consultation and engagement with relevant parties.

Pre-production

- 5.19. The first stage in this process is to gather factual evidence, including undertaking surveys and initiating informal discussions with relevant bodies.

Production Stage

- 5.20. Formal consultation will take place on the proposed format and content of the Supplementary Planning Document. The Council will produce a draft document for public participation and will allow a period of consultation of no less than four weeks and up to the maximum permitted six weeks for this stage to give people the opportunity to comment on the draft document.

Adoption

- 5.21. Before a local planning authority formally adopts an Supplementary Planning Documents, the Council must:
- make copies of the Supplementary Planning Document available for people to view
 - provide details of when and how representations must be made
 - prepare a separate statement which sets out, a summary of the main issues raised by the consultation and how those issues have been addressed in the Supplementary Planning Document
 - send a copy to the specific consultation bodies and to the general consultation bodies

- send out a copy of the consultation statement and any supporting documents
 - provide details of how the Council believes the Supplementary Planning Document affects each specific consultation body
- 5.22. The Council will email or write to everyone who has made representations and inform them of the formal adoption of the Supplementary Planning Document. The Council will display a copy of the adoption notice on the Council website and a notice will be displayed in the local newspaper.

Waste and Minerals Development Framework

- 5.23. Wiltshire Council and Swindon Borough Council jointly prepare Minerals and Waste Development Framework, which cover the geographical areas of Wiltshire County and Swindon Borough. The Framework consists of three respective documents; Core Strategy, Development Control Policies and Site Allocations as well as a Proposals Map.
- 5.24. Swindon Borough Council liaises with Wiltshire Council at the earliest opportunity to identify the key planning issues and decide upon likely consultation techniques. Consideration will also be given to Wiltshire Council's SCI when consulting on these documents.
- 5.25. Minerals such as sharp sand, gravel working and soft sands are recognised as an important national resource. The waste produced by households, industry and commerce all needs to be dealt with safely, through recycling, composting, treating and depositing it in landfill sites. The Minerals and Waste Plans will determine the best approach or mix of approaches to identify potential sites. The period of consultation for planning documents will be between 6-8 weeks, depending on the size, timing and nature of the document.
- 5.26. The mineral extraction and waste development site specific allocations consultation will be different from other DPD consultation as it is important to ensure a balance between town and county needs and local interest.
- 5.27. For this reason, while the wider community of organisations and individuals will kept updated by the Council's website and by email, an equal focus of effort will be put into involving the individual communities affected by site allocation proposals. The following particular procedures are proposed:
- initial letters to organisations and individuals with a special interest could be followed up with community meetings if appropriate
 - the Council will work closely with Wiltshire Council, the Parish and Town Councils and community groups to disperse information to reach the widest cross section of the community possible

- the Council will update the website accordingly
- the Council will ensure that all stakeholders who express an interest are kept informed by email and are able to take an active part in decision making
- the Council will provide feedback on the progress of the document by updating the Councils website

Sustainability Appraisal / Strategic Environmental Assessment

- 5.28. The Council must carry out a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA) on each submitted development plan. Supplementary Planning Documents are not subject to sustainability appraisal except in cases where the appraisal of the main document has not covered all the issues.
- 5.29. The purpose of the Sustainability Appraisal serves to appraise the social, environmental and economic effects of a development plan or a SPD from the start of evidence gathering to ensure that the document is 'sound'.
- 5.30. The Sustainability Appraisal report should:
- take a long term view of the expected social, economic and environmental effects of a Plan
 - ensure that sustainability objectives are turned into sustainable planning policies
 - reflect global, national, regional and local concerns
 - form an integral part of the development plan and Supplementary Planning Document (where appropriate)
- 5.31. The Sustainability Appraisal is used to identify any adverse effects of the proposals as early as possible. These can then be addressed by modifying the proposals, through developing mitigation measures or by considering an entirely different option. It should be noted that the SA is not necessarily intended to be achievable, and may only be aspirational.

Strategic Environmental Assessment (SEA)

- 5.32. A Strategic Environmental Assessment (SEA) is intended to increase the consideration of environmental issues during decision making related to strategic documents such as development plan documents. The Assessment identifies the significant environmental effects that are likely to result from the implementation of the plan.
- 5.33. The findings of the assessment will be published in a report that is consulted upon. Any issues that are raised must be considered and resolved before planning permission will be granted

6.0 How to make representations

- 6.0. This section will explain how you can make representations on development plans and supplementary planning documents during the formal public consultation periods and how the Council will feed back information.
- 6.1. The Council encourages individuals and organisations to make any comments on development plans in writing. Any comments made over the telephone or to an officer cannot be submitted as representations on the document.
- 6.2. The Council's preferred method of submitting representations is by using the online representation form. The form will be on the Council's website along with a link to the document being consulted on and guidance notes on how to fill in the form. Representations and comments can also be made by email or by letter.
- 6.3. The Council will accept petitions, standardised letters and 'flyers' however they should seek to address specific points in the documents being consulted upon.

Consultation Report

- 6.4. Following consultation, a paper copy of all the consultation responses will be made available to view in the Council's reception at Wat Tyler House. To allow for due consideration, a summary of consultation responses will be made available on the website at the next stage in the consultation.

Section 2: The Development Management Process

7.0 Community involvement in planning applications

- 7.0. Community involvement regarding the processing of planning applications includes notifying and engaging both the individual and the wider community. The Borough Council expects and understands that decisions on planning applications should be made with the involvement of the community. Finding out what members of the public think about new development is a fundamental part of the Council's planning service. Consequently, the Council's aim is to, 'involve the community throughout the planning application process.'

What are planning applications?

- 7.1. The local planning authority has adopted and publicised procedures to be followed to ensure publicity of applications for planning permission. These meet and exceed the statutory requirements and are proportionate to the development proposed. The planning authority deals with a huge range of proposals, from a small conservatory to a major town expansion. Adopted protocols cover all types of planning applications and can be found on the Council's website at <http://www.swindon.gov.uk/developmentmanagement>.
- 7.2. This document however will deal with the consultation, notification, and community involvement in respect of planning applications; exceeding the statutory requirements.

Pre-application discussions

- 7.3. Swindon Borough Council welcomes and encourages discussions before an individual, developer or a landowner submits a planning application to the planning department.
- 7.4. To ensure that the Council is able to sustain and improve current levels of service, the Council has decided to charge for some pre-planning application advice, in addition to the fees payable for the submission of applications.
- 7.5. There are considerable benefits in seeking advice before making an application, for example:
- it gives the developer an opportunity to understand how the Council's policies will be applied to a development
 - it can identify at an early stage where there is a need for specialist input, for example applications involving listed buildings, trees, protected landscapes
 - it may lead to a reduction in time spent by professional advisors in working up proposals

- it may indicate that a proposal is unacceptable, saving the developer the cost of pursuing a formal application
- it can ensure that an application is complete and comprehensive and to a satisfactory standard, avoiding rejection at the validation stage or early refusal of permission because of inadequate or insufficient information

Pre-application consultation

- 7.6. The Council encourages all applicants, developers and land owners to discuss their proposals with the local community before submitting planning applications. Pre-application consultation could be undertaken with any or all of the following: neighbours, local residents, elected members, schools and colleges, local parish or Town Councils and other interested groups.
- 7.7. Any pre-application consultations undertaken by a developer are in addition to the actions taken by the Council upon receipt of a planning application.
- 7.8. Proposals that have an impact with its immediate neighbours will be subject to a more exclusive consultation regime, appropriate to the scheme and its impact. In general, the more significant the proposal, the more extensive the consultation that would be expected.
- 7.9. The Localism Act introduced the requirement for developers to consult with communities before submitting large scale planning applications. The Localism Act requires developers to:
- consult with communities and make arrangements for publicity before submitting certain types of planning application and having regard to any advice given by the Council
 - consider any responses that they have received from the community before finalising the application and submitting the proposals
 - provide evidence of how they have consulted the local community, what comments they have received and how they have taken these comments into account

Record of community involvement

- 7.10. A developer has to provide a 'Record of Community Involvement' to the Council when submitting any large scale application, setting out those steps taken to engage the local community. The Record should indicate:
- the types of community involvement undertaken
 - a summary of responses received from the community

- minutes of public meetings
- the main points of objections raised by the community
- details of how the developer has addressed the issues raised by the community
- details of the amendments made to the proposed development as a result of the communities responses

7.11. When considering development proposals that are of a large scale, or are likely to be of some controversy there are, potentially, more Council service areas, more external organisations and community groups and more members of the public who need to be involved. Consequently, the greater the involvement, the more complex and lengthy the planning application process can become and, therefore, emphasis will be placed on resolving any issues at the pre-application stage.

Masterplans, framework plans and design codes

7.12. For large development proposals, the Council encourages the use of masterplans, framework plans and design codes. These documents are often written after outline planning permission is granted but before the details of exactly what will be built are decided; they are usually in response to a condition of an outline planning application. In order to engage the community effectively, the Council will undertake public consultation when discharging such planning conditions. The nature of the public consultation will be appropriate to the scale of the development concerned and Council resources available.

Publication of planning applications

7.13. The Council carries out consultations and publicises planning applications in accordance with at least the minimum statutory requirements, including those set out in the Town and Country Planning (Development Management Procedure) (England) Order 2010, and in some cases in excess of the minimum requirements. The methods of publicity undertaken when the Council receives a planning application are set out below.

Methods of consultation

Parish and Town Councils

- 7.14. If a proposal is located within a parished area of the Borough, Parish and Town Councils receive notification and details of any planning applications submitted in their boundaries. The Parish and Town Councils will be given twenty one days to make comments.
- 7.15. Most Parish and Town Councils have some form of “planning committee” who will consider the applications and make comments to

the Borough Council. Where an application is located on the boundary with another Parish or Town Council, we will consult the adjoining Council as well.

Online planning register

- 7.16. The Council offers public access to an online planning register, where the progress of planning applications can be monitored. The online planning register allows individuals to view schemes and to make comments online.
- 7.17. The Council publishes a weekly planning list on a Wednesday of each week which is available online and is emailed to Ward Councillors, Parish and Town Councils, various consultation bodies, certain local civic and amenity groups and the local newspaper.

Neighbourhood notification cards

- 7.18. Swindon Council has a neighbourhood notification system in place to ensure that all adjacent neighbours to a proposed development have the opportunity to have their say. The Council will send out a notification card within three days of the Council validating the application.
- 7.19. The notification cards will set out the details of the proposal, the timescale, contact details for the case officer (including a direct dial telephone number), the place where the plans can be inspected and an indication of planning considerations. It also explains how to make comments on the application and time scales for making comments (normally 21 days from the date on the card).
- 7.20. There will be occasions when, at the discretion of the case officer, wider neighbour notification will be carried out. This will be particularly appropriate in those cases where the proposed development is of interest to adjacent neighbours in the vicinity of the application site.
- 7.21. If other than minor amendments are made to the application, neighbours will be re-notified and allowed a further 7 days for comment, although this will depend on Committee meeting dates and the circumstances of the particular case.

Site notices and newspaper articles

- 7.22. Site notices and notices published in the local newspaper are, in certain circumstances, required by law. For example, planning applications in a Conservation Area, works to a listed building, significant applications and any 'departures' from the development plan. In such circumstances a newspaper advertisement will be displayed in the Swindon Advertiser.

Other Key Consultation bodies

- 7.23. The following specific consultation bodies will be consulted upon as appropriate:
- The Environment Agency
 - English Heritage
 - Natural England
 - Network Rail
 - Highways Agency
 - any relevant authority, any part of whose area is in or adjoins the area of the local planning authority such as:
 - a local planning authority
 - a county council
 - a parish or town council
 - a police authority
 - any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003
 - any person who owns or controls electronic communications apparatus situated in any part of the area of the local authority
 - any of the bodies from the following list who are exercising functions in any part of the area of the local authority:
 - primary care trust
 - person to whom a license has been granted under Section 7(2) of the Gas Act 1986
 - sewage undertaker (incl. Thames Water as the principle undertaker within the Borough)
 - water undertaker (incl. Thames Water as the principle undertaker within the Borough)
 - the Homes and Communities Agency
 - the Woodland Trust (where ancient woodlands may be impacted upon)
 - Area of Outstanding Natural Beauty Partnership
 - Ministry of Defence
 - DEFRA
 - Wiltshire Fire and Rescue Service (incl. Their Planning Gain Team)

How can I comment on planning applications?

- 7.24. The Council welcomes the views of the public, which must be in writing and can be made sent by post or by e-mail. Anonymous representations cannot be taken into consideration. It should be noted that 'abusive' comments or comments with inappropriate language will not be accepted.
- 7.25. The Council will take all written comments into consideration when determining the application. The Council does not acknowledge or enter into individual correspondence on specific applications. However it does acknowledge that there may be instances when it is

reasonable to do so, particularly with Parish/Town Councils and the main consultation bodies. The Council has a duty to make timely decisions and cannot reasonably delay doing so when sufficient information is available to enable proposals to be determined.

- 7.26. The Local Government (Access to Information) Act 1985 allows all comments to be seen by the public, including the applicant(s). Letters of comment will be displayed on the Council website during the determination of the application. Before publishing on the website the Council will take all reasonable steps to remove personal data. The Council can only take into account 'material planning considerations' when considering comments.

Planning Committee

- 7.27. The Planning Committee is responsible for making decisions on applications that will have a significant effect on the Borough, for example, large housing schemes or retail development. The Planning Committee is responsible for making decisions on applications:
- that have been made by the Borough Council, for example, to redevelop a building that the Council own
 - that an Elected Member, Parish/Town Council or Planning Officer has requested to be considered by committee
 - employee or when the applicant is related to an Elected Member or Council employee
 - that have had a large number of objections
 - mineral extraction or waste disposal unless in respect of small-scale works which are ancillary to an existing mineral working or waste disposal facility
 - that have been submitted with an Environmental Impact Statement
 - which represent a significant departure from the Local Plan
 - which, by their scale, nature or location, have implications which extend beyond the limits of the area in which they are situated
- 7.28. There is an opportunity for interested persons to address the Planning Committee before the decision is made. This can include supporters or objectors to a planning application including third parties, applicants, agents, Parish or Town Councils, local residents and representatives of local organisations.
- 7.29. The agenda for the Planning Committee is published 5 working days before the meeting and is available, for a small charge, from the Council. It is also available on the Council's website, along with the contact details of the relevant Elected Members. Each Parish Council in the area receives a copy of the Planning Committee agenda.
- 7.30. The minutes of a Planning Committee meeting are public documents which are available on the Council's website. Similarly, the planning application file is also a public document and any member of the

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public or any organisation can view the contents of the file on demand or on the Council's website.

Appendix 1: Glossary of Terms

Term	Definition
Development Plan Documents (DPD)	DPDs will be spatial planning documents that are subject to independent examination. They will have 'development plan' status.
Local Plan	The emerging Swindon Borough Local Plan 2026 is the main planning policy document for shaping the development and growth of the Borough over the next fifteen years, and provides the policy framework to deliver sustainable growth. The Local Plan is often referred to as the 'development plan'.
Planning Inspectorate (PINS)	A Government agency responsible for scheduling independent examinations. The planning inspectors who sit on independent examinations are appointed and employed by PINS.
Site Specific Allocations	This document is one of the Local development Framework documents and contains policies that apply to specific sites, locations or areas.
Stakeholder	A stakeholder is anyone who is interested in, or may be affected by the planning proposals that have been presented for consideration.
Sustainability Appraisal (SA)	Local planning authorities are bound by legislation to appraise the degree to which their plans and policies contribute to the achievement of sustainable development. The process of a Sustainability Appraisal is similar to Strategic Environmental Assessment but is broader in context, examining the effects of plans and policies on a range of social, economic and environmental factors. To comply with Government policy, the Borough Council will produce a Sustainability Appraisal that incorporates a Strategic Environmental Assessment of its Local Development Documents.

Strategic Environmental Assessment	Local planning authorities must comply with European Union Directive 2001/42/EC which requires a high level, strategic assessment of Development Plan Documents and, where appropriate, Supplementary Planning Documents (SPDs) and other programmes (for example, the Local Transport Plan) that are likely to have significant effects on the environment.
Supplementary Planning Document (SPD)	Whilst not having 'development plan' status, Supplementary Planning Documents can form an important part of the Local Development Framework of an area. They can be used to expand policy or provide further detail to policies in Development Plan Documents. Community involvement will be important in preparing Supplementary Planning Documents, but they will not be subject to independent examination.
Sustainable Community Strategy	The Sustainable Community Strategy (SCS) is prepared by local strategic partnerships (LSPs) as a set of goals and actions which they, in representing the residential, business, statutory and voluntary interests of an area, wish to promote. The Strategy should inform the Local Plan and act as an umbrella for all other strategies devised for the area.
Swindon Compact	A partnership agreement between statutory agencies and membership organisations from the voluntary and community sector. It sets out a number of principles within which the members of the Compact agree to work.

Appendix 2: Contacts for further information

Contact	Type of Contact	Description	Email/Address	Telephone no.
Planning Policy	Swindon Borough Council	The Officers in this team are responsible for preparing Development Plan Documents (DPDs) for Swindon. This team drafts the planning documents that are then subject to public consultation. The consultation must follow the guidance set out within this SCI document.	Forward Planning inbox: Planning Policy www.forwardplanning@swindon.gov.uk	01793 466513 (during normal office hours)
			DPD Webpage on the Council's website: www.swindon.gov.uk/ep/ep-planning/localdev/Pages/ep-planning-localdev.aspx	
Development Management	Swindon Borough Council	Officers in this team process and assess planning applications in accordance with the Councils' adopted planning policy documents as well as National policy documents, site-specific issues, relevant consultation responses and other material planning	Development Management pages on the Council's website: www.swindon.gov.uk/ep/epplanning/Pages/ep-planning-developmentcontrol.aspx	01793 445500 (during normal office hours) Please note that Swindon Borough Council

Contact	Type of Contact	Description	Email/Address	Telephone no.
		considerations. The planning officers are also available to discuss planning applications with the public.		charges for pre-application advice. Further information on the charges can be viewed on the Council's website.
Master Planning and Design	Swindon Borough Council	The officers in this team are responsible for assisting the delivery of very large developments through the planning system, providing planning advice to the Borough Council on major strategic developments and negotiating and resolving potential issues raised by planning officers or the community. The team also contributes towards the preparation of planning policy documents.		
Conservation (Part of Master Planning)	Swindon Borough Council	The Conservation Officers are responsible for ensuring that local character is strengthened and is	Conservation pages on the Council's website:	

Contact	Type of Contact	Description	Email/Address	Telephone no.
		not diminished by change. This team will assist the Council on making decisions on applications, providing pre-application advice and producing planning guidance and design guidance.	www.swindon.gov.uk/ep/epplanning/Pages/ep-planning-conservationareas.aspx	
Design (Part of Master Planning)	Swindon Borough Council	The Design Officers consider the arrangement, appearance and functionality of towns and cities, and in particular the shaping and uses of urban public space. The officers provide guidance on planning applications on new developments and change of uses.		
Department for Communities and Local Government	Government Website	The Department for Communities and Local Government provides information on the following categories: National Planning Policy Frameworks, Development Plan Documents, the English Planning System, planning policy information and information on emerging legislation.	www.communities.gov.uk/corporate/	

Contact	Type of Contact	Description	Email/Address	Telephone no.
The Planning Inspectorate	Government Website	The Planning Inspectorate is responsible for processing planning and enforcement appeals and holding examinations into development plan documents. The Inspectorate deal with a wide variety of other planning related casework including listed building consent appeals, advertisement appeals, and reporting on planning applications called in for decision by the Department for Communities and Local Government.	www.planningportal.gov.uk/planning/appeals/planninginspectorate Address: Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN	
Planning Aid	Independent Charity	Planning Aid provides two main services to individuals and community groups, these are: A Planning Advice Line where all callers can receive 15 minutes of free, independent and professional advice. In addition some callers may	Website: www.rtpi.org.uk/planning-advice/pa-paid.html	National Planning Advice Line: 0330 1239244

Contact	Type of Contact	Description	Email/Address	Telephone no.
		<p>be eligible for further assistance from a professional volunteer.</p> <p>A neighbourhood planning service will be provided to support individuals and communities in gaining knowledge about the planning system and how they can be involved and how they can prepare neighbourhood plans (RTPI, 2011).</p>		
The Planning Portal	Government Website	<p>The Department for Communities and Local Government has provided the Planning Portal for anyone, individuals, communities or professionals, wanting to find out about the planning system in England and Wales.</p> <p>The website provides details on submitting planning applications, your local planning authority, Development Plan Documents and emerging guidance from the Government.</p>	<p>Website: www.planningportal.gov.uk</p>	

Appendix 3: Methods of community consultation during the preparation of Development Planning Documents and in assessing planning applications and the strengths and weaknesses of each approach

Consultation Method	Description	Strengths	Weaknesses	Cost and Staffing resources	When we may use it
Documents available at the Council Office and libraries. Documents available to purchase.	Hard copies of documents will be made available for inspection at the Council Offices and libraries.	This method is effective for those people who do not have access to the internet.	<p>The documents are only available to view during open hours.</p> <p>People with mobility issues might find it hard to access the documents.</p>	There is a cost associated with printing documents.	<p>Development Plan Documents</p> <p>Statement of Community Involvement</p> <p>Supplementary Planning Documents</p>
Letters to statutory bodies and non-statutory bodies	Statutory and non-statutory bodies, with no email address, will receive a letter.	Letters ensure that information is received by statutory consultation bodies.	The information is restricted to those bodies that have their contact and address information on the consultation database.	There is a cost associated with posting letters and documents.	<p>Development Plan Documents</p> <p>Statement of Community Involvement</p> <p>Supplementary Planning Documents</p>

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Emails to statutory bodies and non-statutory bodies	Statutory and non-statutory bodies with an email address will receive an email, where requested.	Emails ensure that information is received by statutory consultation bodies.	The information is restricted to those bodies that have their contact and address information on the consultation database.	There is a low cost associated with the distribution of emails.	Development Plan Documents Statement of Community Involvement Supplementary Planning Documents
Informal consultation with Councillors	Councillors can hold surgeries and feed back to the Council about issues that the community have raised.	This provides an opportunity to understand issues at the community level.	Local residents may not be able to attend a surgery.	There is a low cost associated with surgeries.	Development Plan Documents Statement of Community Involvement Supplementary Planning Documents
Questionnaires	The Council may use questionnaires to obtain views during the early stages of preparing planning policy documents	The community has the opportunity to get involved.	Response rates vary	There is a cost associated with preparing and posting questionnaires.	Development Plan Documents Supplementary Planning Documents

CDs	The Council may provide information on CD for the benefit of communities.	This allows for easy distribution of information which is relevant to communities.	Access to computers varies amongst communities.	There is a cost associated with producing CDs.	Development Plan Documents
Website	The Council will provide information on the planning pages of the Borough Council's website.	The website allows instant access to up to date information on all planning related documents.	Access to computers varies amongst communities.	There is a low cost associated with maintaining information on the website.	All documents
Existing public, open or community meetings	Where opportunities arise and where appropriate, the Council will endeavour to disseminate information at public/community meetings	Useful for informing communities and provides an opportunity for feedback.	Local residents may not be able to attend.	There are low level costs associated with meetings; however there is a time and resource implication for staff.	Development Plan Documents
Public exhibits and displays	The Council will aim to provide, where required, non-staffed public displays for the	Allows a broad range of people to view the information.	The information should be clear and succinct and provide contact details for Planning,	There is a cost associated with producing display boards.	Development Plan Documents

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	public to view.		where appropriate.		
Summary leaflets	The Council will aim to produce a summary leaflet to accompany consultation on development plan documents, where appropriate.	The summary leaflet can provide an introduction to the main issues and be used to inform a large number of people. They can target specific groups	The summary leaflet only provides a limited amount of information. Non English speakers or blind and partially sighted people can be excluded.	There is a cost associated with designing and printing summary leaflets.	Development Plan Documents
Written responses and representations	The Council will use its website to allow people to make representations online.	This provides an opportunity to make comment upon planning documents.	There are members of the community who find the representation forms hard to understand. Too much planning jargon can put people off responding.	There is an associated time and cost implication with summarising and responding to representations received as part of the development plan process.	Development Plan Documents Supplementary Planning Documents Statement of Community Involvement Planning applications
Public Access (online planning)	The Council will display planning applications on the	The online planning register can be viewed twenty four	Not everyone has internet access.	The associated time and cost implications are	Planning applications.

register)	Council's online planning register	hours a day and comments can be made online.		low.	
Local media	The Council will, where required, publicise in the local newspaper planning and related applications on development plan documents	This will serve to notify a wide range of people. This provides the opportunity for communities to get involved in the planning process.	Communities do not necessarily purchase the local newspaper or read public notices. Non-English speakers and partially sighted people may be excluded.	There is a cost implication with advertising in the local newspaper.	Development Plan Documents Planning applications
Site notices	Planning applications may also be publicised by a site notice which is on or close to the site.	Local residents will be made aware of proposals in their areas.	Site notices are not always read by local residents.	The associated time and cost implications are low.	Planning applications.
Notification cards	The Council aims to send out a notification card within three days of the Council validating a planning application.	Local residents will be made aware of proposals in their areas.	Only the neighbouring properties receive notification cards	The associated time and cost implications are low.	Planning applications

Appendix 4: Guidance on engaging with Hard to Reach Groups

There are many groups in society that are difficult to engage with and whose views are often underrepresented. There are many barriers such as age, culture, geographical isolation and language. The Council has identified a number of groups that are 'hard to reach' or 'seldom heard' during community consultation events. Please note that this group is neither inclusive nor exclusive, however reflects commonly recognised groups within the community, these groups are:

- The Black and Ethnic Minority communities
- Children and young people
- Parents
- Lesbian, gay and bisexual communities
- Members of the transgender community
- Those who do not speak English as their first language
- Older residents of Swindon
- Disabled people
- Residents in Swindon's more deprived housing areas
- People who live in rural communities
- People who feel disconnected from the Council

Significant progress has already been made in the identification of hard to reach groups by liaising and sharing information with other service areas within the Council (where appropriate, under the restrictions placed on the Council by the Data Protection Act, 1998). Many of these groups are likely to have an interest in the DPD process. However, the identification of additional 'hard to reach groups' is an evolutionary process and the Council is committed to its aim of making the planning system in Swindon Borough as inclusive and representative as possible. We will monitor the extent to which we are succeeding in involving the groups identified above and review our methods on a regular basis.

There are many reasons why these groups are hard to reach or seldom heard there are many issues including:

- people having less spare time or other demands on their time
- people who have difficulty understanding written or spoken English
- people who have mobility issues
- people or groups who are socially or culturally isolated from society
- groups or people who feel suspicious of the organisation that is consulting them
- people who are geographically isolated
- people with long term illnesses

The Council has limited resources available for consultation however the Council will attempt to engage and facilitate participation with hard to reach communities by using different techniques whenever appropriate:

- ensuring that meetings are not held during major religious festivals whenever this is possible
- ensuring that Officers do not use stereotypes, assumptions or appear patronising or discriminatory
- collaborative working with the Swindon Equality Advisory Forum and Swindon Equality Task Group
- providing information on forthcoming consultations on the Council's website
- going into schools and colleges to get the ideas of young people, whenever this is possible
- holding coffee mornings or meetings at the schools , nurseries or libraries
- holding meetings during the day, in the evening and at weekends
- using a sans serif typeface for example, Arial , on posters and consultation documents
- writing documents in plain English
- avoiding the use of italicised fonts
- production of easily understood summary leaflets
- avoiding using text over a background image in publicity material
- holding community events in venues close to public transport links
- Venues with disability facilities
- producing consultation documents in large print, audio tape and braille upon request
- keeping costs of attending down to encourage more people to attend
- attending Parish or Town meetings
- advertising information on Parish or Town Council websites or noticeboards
- send publicity materials to places of worship, community meeting places and in places where other local communities meet
- engaging with people in situations and environments that they are familiar with. This can help to break down barriers and establish relationships between officers and communities

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Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

Comment Number	Responder	Object/Support	Responder Comments	Officer Comments
1	Individual (1)	Object	<p>I think planners should be more transparent and give planning committee the full comments and not give a summary of the public observations. Providing full comments, rather than summarising comments will remove the bias that the planners have on any given project and, the planning committee will see a clearer picture of the whole scheme and give a better judgement on the application after picking up the details which might influence their views on the application.</p> <p>When contacting the planners, the people who have taken the trouble to write in about the application want to know they have been listened to concerning their comments and need a reply. When the person turns up at a council planning committee meeting they are dismayed that their comments have only been summarised and have not been seen by the planning committee. They therefore do not know if their own statement has been taken into account and feel their rights have been violated; therefore I'm saying not to have summaries in the first place. In turn this makes the public mistrust the council and that the council does not listen to the public regardless what he public say to them.</p> <p>If the council want the public to give their views, comments and engage with them via the councils website, the online forms need to be more user friendly, for example, Acrobat Viewer XI or above and provide a free link to download on the home page of the Council's website. Then people who want to be consulted can give their suggestions.</p>	<p>Representations are often summarised especially where there are a large number of respondents and where many letters repeat the same comments. It important that all the relevant points are set out in the report. The committee is aware that more detail / clarification can be sought upon any aspect of a scheme, and committee members are encouraged to do this prior to the meeting.</p> <p>The right to address the committee allows applicants / objectors to make or reinforce points.</p> <p>The Website is currently being reviewed.</p>

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

2	Network Rail	<p>Development proposals' affecting the safety of level crossings is an extremely important consideration for emerging planning policy to address. The impact from development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision.</p> <p>As a result of increased patronage, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with strategic and government aims of improving rail services.</p> <p>In this regard, we would request that the potential impacts from development affecting Network Rail's level crossings, is specifically addressed through planning policy as there have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing. We request that a policy is provided confirming that:</p> <p>The Council have a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway:</p> <ul style="list-style-type: none"> o <i>Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010 requires that... "Where any proposed development is likely to result in a material increase in volume or a material change in the character of traffic using a level crossing over a railway (public footpath, public</i> 	<p>The statutory requirement to consult in such cases is enshrined in the Town and Country Planning (Development Management) (England) Order 2010</p>
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Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

			<p><i>or private road) the Planning Authority's Highway Engineer must submit details to both Her Majesty's Railway Inspectorate and Network Rail for separate approval".</i></p> <ul style="list-style-type: none"> Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing such impact; and The developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed. 	
3	Network Rail		<p>We would appreciate the Council providing Network Rail with an opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).</p>	<p>Network Rail is normally consulted in such cases.</p>
4	Thames Water	Support	<p>Regulation 25 of the Town & Country Planning (Local Development) Regulations 2004 (as amended in May 2008) relates to pre-submission consultation. It states that Local Planning Authorities must consult "specific consultation bodies" prior to the publication of a first draft Development Plan Document (DPD). The interpretation in Part 1 of the Regulations states that sewerage and water undertakers constitute "specific consultation bodies" and we are therefore pleased that they are listed in paragraph 3.3. However, we consider that Thames Water should be specifically listed as the water and sewerage undertaker in paragraph 3.3 so that it is clear who the utility providers are.</p>	<p>Point noted. Reference to Thames Water will be added at paragraph 3.3</p>
5	Thames Water		<p>When carrying out the necessary early consultations with Thames Water regarding the capacity of water and sewerage systems in accordance with the new Regulations, adequate time should be allowed to consider development options and</p>	<p>Consultation periods are in line with statutory requirements. However the Council will work closely with Thames Water in formulation of policy prior to</p>

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

			<p>proposals so that an informed response can be formulated. It is not always possible to provide detailed responses within a matter of weeks for example, the modelling of water and sewerage infrastructure systems will be important to many consultation responses and this can take a long time to carry out (for example modelling of sewerage systems can be dependant on waiting for storm periods when the sewers are at peak flows).</p> <p>We also have to consult with the Environment Agency to obtain a clear picture as to possible water abstraction and waste water discharge consent limits prior to undertaking modelling from a treatment perspective. This process itself can take a considerable period of time especially if it depends on the EA undertaking its own evaluation exercise. Therefore, realistic consultation periods with water and sewerage undertakers will need to be taken account of in the preparation of the LDDs.</p>	formal consultation.
6	Thames Water		<p>In relation to consultation on Planning Applications, Thames Water would expect to be consulted on most major planning applications. The adequacy of infrastructure can be a material consideration in deciding whether permission should be granted.</p> <p>Thames Water published and circulated in November 2010 to all LPAs in our area a "Water Services Infrastructure Guide for LPAs on Planning Application & Development Plan Consultation with Thames Water Utilities as Statutory Water and Sewerage Undertaker". This will be of assistance to when determining which planning applications to consult Thames Water on.</p>	<p>Noted Consultation on planning applications will take place as required by the Town and Country Planning (Development Management) (England) Order 2010 or other legislation and local protocol. In other cases consultations will be as considered appropriate. In addition, TW are provided with a weekly list of applications for information</p>
7	Woodland Trust		<p>We would like to see woodland trust included as a general consultation body</p>	<p>Point noted. Reference to the Woodland Trust will be added at paragraph 3.5</p>

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

8	Woodland Trust	<p>The new National Policy Planning Framework clearly states: “...planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss” (DCLG, March 2012, para 118).</p> <p>The Government’s Natural Environment White Paper – The Natural Choice: securing the value of nature (HM Government, July 2011, para 2.56) states that: ‘The Government is committed to providing appropriate protection to ancient woodlands....’.</p> <p>The new Biodiversity Strategy for England (Biodiversity 2020: A Strategy for England’s Wildlife & Ecosystem Services, Defra 2011, see ‘Forestry’ para 2.16) states that – ‘We are committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland site’.</p> <p>Some local authorities have previously listed the Woodland Trust as a non-statutory consultee for planning applications in their adopted SCLs, such as Lichfield District Council, Bridgnorth District Council and North Warwickshire District Council.</p> <p>The Woodland Trust would therefore like to see a similar commitment in this draft Statement of Community Involvement in Planning that we will be consulted on all planning applications that threaten ancient woodland.</p> <p>The Woodland Trust would therefore like to see a similar commitment in this draft Statement of Community</p>	Add suitable wording
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Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

			Involvement in Planning that we will be consulted on all planning applications that threaten ancient woodland.	
9	Liddington Parish Council		As the parish councils perform their role during their spare time as they have full-time jobs and work during the day, consequently meeting with planners or developers should be arranged for time that are convenient for them i.e. during the evening rather than during normal office hours. For any development that affects the parish, 2 copies of the associated planning documentation and 2 copies of any CDs should be automatically sent to the Parish Council free of all associated charges. This would provide one copy for the Parish Council's consideration and one copy for local public review. These measures would enable the Borough Council to engage and consult with rural communities in a far better manner than currently proposed	Officers and Members attend many evening meetings. In line with Government guidelines, the information is made available in the council offices and on-line. The Council can no longer justify the cost of printing plans and documents. Spare copies of documents / plans are provided to Parish Councils if available. Parish councils may approach the developer direct to request a set of documents.
11	Liddington Parish Council		The overall Statement of Community Involvement in Planning is considered to be good in principal but seems never to have been implemented effectively and, in the experience of the Parish Council, it seems that the Borough Council simply pays lip service to the concept of consulting with communities.	Noted
12	Individual (2)		In section 2.4 statement 5. (Superb educational provision for all ages). I like to make the comment that is far I am concerned this is a far sweeping statement that in some part incorrect. Although there are undoubtedly considerable improvements to the education system in Swindon we still do not have a University Campus that Swindon can own. Yes I will agree that young people can take degrees in the further education Colleges that are in the town and we do have an off shoot of Oxford Brooks but I still consider it to be an opportunity sorely missed when plans failed. Wiltshire as a	Noted. Section 2.4 repeats the Community Strategy themes. The issue raised is not an SCI matter

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

13	Individual (2)		County does not have a university, so all the bright and high achievers go elsewhere and they are often forever lost to us. Added to this we fail to attract that same calibre of young and older persons to the town thus missing out on a wealth of untapped energy and intellect. 3.26 - Community Planning Forum, is this still active as it is included within the SCI but at the last meeting it was said that it was dispensed	Officer Support is no longer able to be provided for The Community Planning Forum as Localities are the councils preferred method of engaging with local communities
14	Individual (2)		I just wondered if people living in Houses of Multiple Occupation had been considered as amongst those hard to reach. Many are people who have had difficult life changes and challenges and are they do not always on the internet, are hard to keep track of and are reluctant to be involved in community affairs but do however make up a substantial group in the town. I do realise that you have a grouping of less well-off but I read that to be more about those living on estates, whereas the people in H.M.O.s live an various and wise spreads parts of the town.	Yes, the list is not exhaustive
15	Queens park community council	Support	The document gives excellent cover to the process for involving the community, there is support to the councils concept to the town centre to allow the neighbourhood plan to develop.	Noted
16	Queens park community council		Locality forums will struggle to consider planning applications due to the timing of their meetings and therefore will depend on being informed of forthcoming applications	Immediate neighbours are consulted in accord with adopted local procedure. The list of applications received is published each week
17	Queens park community council		Queens park community council and other community groups should be made aware of applications within their area, as this does not currently happen.	Immediate neighbours are consulted in accord with adopted local procedure. The list of applications received is published each week

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

18	Health and Safety Executive		There are no comments to be made on the document	Noted
19	Shaw Resident Association	support	Para 7.17. - it would be helpful to provide a facility of post-code specific email alerts of planning applications so that interested groups/individuals could be alerted to applications in their local area.	This has been considered in the past but is not yet considered to be a foolproof method of notifying neighbours of proposals affecting them. If available in software updates it will be rolled out
20	Shaw Resident Association		Appendix 4: - suggest preparing a short, easy to understand summaries of main proposals in English and other main languages that could be circulated via email, placed on community notice boards. Current process is comprehensive but it is a barrier to involvement for many people, e.g. this consultation is 43 pages long, the documentation in the local plan 2026 runs to thousands of pages and there is no obvious "executive summary"	Point noted. For main planning documents summary leaflets will be provided. Add to Appendix 4
21	Shaw Resident Association		Allow on line completion of forms	On-going to resolve this issue
22	Individual (3)	Object	In para 3.14 it states that the councils development plans is determined by cabinet. I would beg to differ in this interpretation of the cabinets function. I was under the impression that The Full Council, as the duly elected body, was the legal body responsible for the "decision making" in order to ensure its policies were being carried out. In other words the cabinet is the "executive" of the full council.	Agreed. Amend text
23	Natural England	support	Natural England are unable to comment fully on the SCI but they are supportive of early community engagement, and natural England should continue to be consulted on as a statutory body	Noted

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

24	Environment Agency		There are no comments	Noted
25	Wiltshire Fire and Rescue Service	support	<p>Wiltshire FRS has worked closely with Swindon Borough Council in many aspects of strategy and planning. One particular aspect of these has been the inclusion within the Core Strategy to ensure that any risk posed by future growth is mitigated through Wiltshire FRS infrastructure development and is funded with developer contributions, under Section 106 of the Town and Country Planning Act 1990 and the forthcoming adoption of the Community Infrastructure Levy.</p> <p>Wiltshire FRS currently receives no funding to mitigate risk posed by future growth and the organisation considers the safeguarding of the community, its economy and the environment with equal importance as Swindon Borough Council. We ask that we continue to work closely on all aspect of planning and community safety, including partnership working. This will ensure that Wiltshire FRS is in a position to fully support the vision of the Local Strategic Partnership and the Sustainable Community Strategy 2008-2030.</p>	When made, WFR comments are taken into account in planning decisions
26	Wiltshire Fire and Rescue Service		<p>I note in Section 3, "Development Plan Documents" & "Consultation and Engagement", that the document lists specific consultation bodies or organisations responsible for services to the Borough and major land owners.</p> <p>The list is not exhaustive but Wiltshire & Swindon Fire Authority and Wiltshire FRS play a major role in developing plans within the Borough. They do this, in-terms of strategic planning for infrastructure planning & development, prevention, protection and response activities, including</p>	Point noted. Reference to Wiltshire Fire and Rescue Service will be added at paragraph 3.5

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

			<p>resilience planning for the community, infrastructure and economy safeguarding.</p> <p>In addition, as a public body, Wiltshire & Swindon Fire Authority & Wiltshire FRS is heavily influenced by the community, businesses and people of the Borough through public consultation, which feeds directly into the Integrated Risk Management Plan (IRMP), which sets the strategic direction and activities of Wiltshire Fire Authority & Wiltshire FRS. This is produced every 3 years and reviewed annually. This links directly into the aforementioned sections and demonstrates that Wiltshire Fire Authority & Wiltshire FRS is, "In the heart of the community for the community".</p> <p>We would request respectfully that Wiltshire & Swindon Fire Authority and Wiltshire FRS are added to this list of organisations to be consulted with, to represent the important role both the Wiltshire & Swindon Fire Authority and Wiltshire FRS play, as a public service to the Swindon Borough Council.</p> <p>Add Swindon Wiltshire Fire Service to the list of consultees</p>	
27	Bishopstone Parish Council		<p>7.6 We note that pre-application consultations with the Parish Council are encouraged by SBC but they cannot insist that developers/applicants come and talk to Parish Councils. We request that there should be a requirement on SBC to at least advise the Parish Council as to when SBC receives a pre-application meeting request with a developer/applicant so that it can be invited to that meeting.</p>	<p>Pre-application meetings between the Borough Council and Developers area at the request of the applicants, and unless indicated by them are confidential. However, applicants are encouraged to engage with Parish Councils at an early stage in the pre-application process/</p>
28	Bishopstone Parish Council		<p>7.9 What is meant by "large scale" for Swindon is not necessarily the same for a small village like ours. We request that SBC should be insisting on pre-application discussions</p>	<p>The LPA encourages applicants to undertake local consultation in pre application discussions. Para 7.9</p>

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

			with parish councils for developments involving ANY new building (but not extensions etc). It is worth noting that no "Statement of Community Involvement" was insisted on by SBC when the recent application to redevelop the True Heart came in, despite the Parish Council repeatedly pointing this out; if SBC are going to quote from the Localism Act (7.6 through to 7.11) then it should also enforce it.	repeats the NPPF wording
29	Bishopstone Parish Council	Object	7.14. It is not clear when the 21 day period for comments starts. We believe that it should be from receipt of notification by the Parish Council. There should also be provision for the Parish Council to be re-consulted when amendments are made to planning applications (as per 7.21 for neighbours) or when it is proposed that our comments / objections are going to be ignored.	The 21 day period starts from the day of the notification. This may be the day a letter or email is sent. A 14 day period is given when re-notification takes place
30	Bishopstone Parish Council	Object	7.14 and 7.15. We think that the whole section on Parish Councils (7.14 and 7.15) is much too brief. We need clarification on timings (as per the point above at 7.14) and we also need to see greater clarification and transparency from SBC on their delegated decision processes; i.e. we should be told which, if any, of our comments are being taken on board before decisions are taken so that we can, should we decide to, ask for applications to go forward to Committee.	The SCI deals with current local and statutory protocol / procedure. Changes to non statutory procedure should be made via the Parish and Town Council Charter / Planning Protocol
31	Bishopstone parish Council	Object	We request that SBC's Conservation Officers should be required to be consulted on every planning application within a Conservation Area. Planning Officers are not always qualified to the same degree and often (as we have seen to our detriment) seemingly innocuous decisions can have a very negative and permanent impact on a community if they are not given the necessary due care and attention at the decision-making stage.	The Conservation Officer will normally be involved in cases where there is likely to be a material impact upon the character, setting or appearance of a conservation area. The form of consultation will vary to suit the proposal.
32	Blunsdon parish Council	support	Paragraph 3.19. The statement that Localities should support Parish and Town Councils is fully supported (but in reality they often see them as competitors/opposition)	Point noted.

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

33	Blunston Parish Council	support	Paragraph 4.4. The statement that it is essential that the views of the community are taken into account should always be applied.	Point noted.
34	Blunston Parish Council	Support	Paragraph 7.9. The pre-application consultation called for appears to be applied (through reactions to responses have yet to be tested)	Point noted
35	Wroughton Parish Council	Support	Support the document	Noted
36	Bourton Parish Council Clerk		Bourton Parish Council welcomes the fact that all adjoining parish councils and local planning authorities will be consulted on strategic planning matters within Swindon Borough Council but we request that the consultation takes place in a timely manner (ie not for the minimum time and certainly not during Christmas holidays or the main summer break when parish councils do not meet). This is especially important when that adjoining parish council is likely to be very badly affected by the development.	Point noted. The Council endeavours to avoid holiday periods when consulting upon planning documents. However, in order to progress plans and guidance documents in a timely fashion, the Council sometimes has to consult during periods including public holidays. In these cases the consultation period will be extended to allow for holiday days.
37	Burton Parish Council Clerk		Request that officers undertake a public exhibition in the village of Bourton during the public consultation for the Eastern villages development.	Point noted.
38	South Marston Parish Council	Support	We welcome the specific mention of how the Borough engages with Parish Councils. There would need to be a clear responsibility and service standards within the Borough for community involvement to thrive and be sustainable. The document may not be understood by newly elected members. In particular, the document refers to the 'Council' and its elected members to reflect Borough Council and Borough Councillors (see in particular 3.11-3.13). For an elected parish councillor, this is confusing and perhaps the words 'Borough Council' could be used in the more obvious places where such confusion might happen.	Point noted. For clarity the references to 'Elected Members' in paragraphs 3.11 to 3.13 will be replaced with 'Swindon Borough Councillors'

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

39	South Marston Parish Council	Paragraphs 4.18 to 4.27 identifies specifically the measures to ensure that hard to reach groups are engaged by SBC consultation. However the hard to reach groups listed at 3.26 include those located in rural areas yet no specific provision is made to ensure that they are reached. Information should be provided in local newspapers or with direct contact to local clubs, schools. Some people may not be able to take advantage of the special measures made in 4.19 and 4.22 if there is no suitable transport that could be used to travel to central locations.	Point noted. Add suitable wording to this section
40	South Marston parish Council	Page 27: Paragraph 7.24 states that the Borough Council will take written comments on planning applications into consideration, but will not enter into individual correspondence on specific applications. It is important that Borough Officers do not refuse to discuss a specific planning application with the relevant parish council. If the parish Council has asked questions about a planning application, it is reasonable to expect both answers and dialogue before the planning officer reaches a decision. This has been normal practice and we would not want to see it disappear because it has been omitted from this statement of Community Involvement. Perhaps the sentence can be amended to reflect that the Council does not acknowledge or enter into individual correspondence on specific applications except with statutory consulters.	The LPA does 'not normally' enter into negotiations in respect of comments. However it does acknowledge that there may be instances when it is reasonable to do so. Add wording to this effect. A LPA also has a duty to make timely decisions and cannot reasonably delay doing so when sufficient information is available to enable proposals to be determined.
41	South Marston parish Council	There are a number of typographical errors that need review: Page 8: Paragraph 3.7: second line – should be 'how the council has been undertaking this duty.....' Page 39: table – remove apostrophe from 'CD's'	Point noted, paragraph 3.7 will be reworded to improve clarity. Reference to 'CD's' will be replaced with 'CDs'.
42	South Marston	Insert new 3.45 'The Council recognises that in order to maintain community involvement it is necessary to provide a clear link into the process, and to promote prompt and relevant feedback to questions raised. To this end it will	Point noted. The planning department is working closely with locality leads. Response to questions are subject to

Appendix 2 - A summary of comments and Officer responses to the Draft Revised Statement of Community Involvement

			designate the Locality Lead or some other named person to facilitate community involvement initiatives in each Locality. The Council will require that officers provide answers to questions raised within 21 days (or as otherwise agreed), or provide a reason for delay and a date for the delayed response.	the councils normal performance measuring target of 10 working days
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The Swindon Health and Wellbeing Board

Cabinet

Date: 20th March 2013

Author: Leader of the Council
Cabinet Member for Health and Adult Social Care
Director of Public Health

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To determine the composition and terms of reference of the Health and Well Being Board. The current Shadow Health and Wellbeing Board, established in September 2011, becomes a substantive Committee of the Council from April 2013.
- 1.2 The Health and Social Care Act 2012 (the 2012 Act) establishes Health and Wellbeing Boards as a forum where key leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities.

2. Recommendations

Cabinet is recommended to:

- 2.1 Note and endorse the draft Terms of Reference for the Health and Wellbeing Board (Appendix One) for submission to Council, subject to any comments of the Shadow Health and Wellbeing Board arising from its meeting on 13th March 2013.
- 2.2 Note that the Council will be formally requested to approve the appointment of the Health and Wellbeing Board as a Committee of the Council and agree the terms of reference as set out in Appendix One, and authorise the Director of Law and Democratic Services to make any necessary changes to the Council's constitution.

3. Detail

- 3.1 The Health and Social Care Act 2012 brought about significant reform of existing health structures. These changes included the transfer of public health accountabilities from the NHS to local authorities; the abolition of Primary Care Trusts (PCTs) and, in the place of PCTs, the establishment of GP led Clinical Commissioning Groups (CCGs). It also established the creation of patient champion groups Healthwatch in place of Local Involvement Networks (LINKs). These changes are to be in place by 1st April 2013.

Further information on the subject of this report can be obtained from Cherry Jones, Direct Dial Telephone Number 01793 444681, cherryjones@swindon.gov.uk.

The Swindon Health and Wellbeing Board

Cabinet

Date: 20th March 2013

- 3.2 The ambition behind the introduction of Health and Wellbeing Boards is to build strong and effective local partnerships, which improve the commissioning and delivery of services across NHS and local government, leading in turn to improved health and wellbeing for local people. The health and wellbeing boards function is to set a strategic direction for health, wellbeing and social care providing a sense of place, bringing together the key health and social care commissioners and what will be the local Healthwatch. The changes in the 2012 Act provide an opportunity to deliver improved health outcomes, through closer working relationships between the council, local GPs and the health community.
- 3.3 Swindon was a member of the Department of Health's Early Implementers Network and as such committed to establish a shadow Health and Wellbeing Board by April 2012, a year prior to the Board gaining statutory powers. In its newly constituted role as a Committee of the Council from 1st April 2013, the Board will be at the core of the council's new role in championing improvements to the health and wellbeing of the local population.
- 3.4 The 2012 Act states that the Health and Wellbeing Board has various functions. These include those conferred on it directly, such as the duty to encourage integrated working. It also includes duties conferred jointly on the local authority and its partner Clinical Commissioning Groups (CCGs) but which must be discharged by the board. These joint duties include the preparation and publication of Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy (JHWS).
- 3.5 Health and Wellbeing Boards are a key part of the broader plans to modernise the NHS. Their role is to:
- 3.5.1 Ensure stronger democratic legitimacy and involvement around the health agenda,
 - 3.5.2 Strengthen working relationships between health and social care,
 - 3.5.3 Encourage the development of more integrated commissioning of services, and
 - 3.5.4 Ensure that commissioners have regard to the JSNA and the Health and Wellbeing Strategy when making commissioning decisions.
- 3.6 The regulations relating to health and wellbeing boards make provision for the disapplication and modification of certain enactments relating to local authority committees appointed under section 102 of the Local Government Act 1972, insofar as they are applicable to a health and wellbeing board established under section 194 of the 2012 Act. The regulations aim to provide local areas with the flexibility and freedom to shape their health and wellbeing boards as best fits with local circumstances. In particular:
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The Swindon Health and Wellbeing Board

Cabinet

Date: 20th March 2013

- 3.6.1 Health and wellbeing boards will be free to establish sub-committees and delegate functions to them;
 - 3.6.2 Voting restrictions have been lifted so that non-elected members of a health and wellbeing board (i.e. CCG representative, local Healthwatch, Directors of Public Health, Children's Services and Adult Social Services and any wider members) could vote alongside nominated elected representatives on the Board.
 - 3.6.3 Political proportionality requirements have also been lifted so that the question of political proportionality of health and wellbeing board membership is left to local determination.
 - 3.7 The Board will operate in accordance with the council's existing decision-making framework and normal council budget setting processes. A decision to exercise any further local authority functions by the Health and Wellbeing Board would therefore need to be taken by the appropriate decision-making body (e.g. cabinet or council), and a further report would be required for this
 - 3.8 The 2012 Act enables the local authority to arrange for any of its functions to be exercised by the Board. The Board will not exercise any of the functions given to the Health Overview and Scrutiny Committee, and it will itself be subject to overview and scrutiny.
 - 3.9 Health and Wellbeing Boards must include six statutory members which are:
 - at least one councillor, who will be (or be nominated by) the Leader
 - the Director of Adult Social Services of the local authority
 - the Director of Children's Services of the local authority
 - the Director of Public Health of the local authority
 - a representative of Local Healthwatch
 - a representative of the Clinical Commissioning group (CCG)
 - 3.10 The Board and the local authority have the power to appoint additional members as they see fit.
 - 3.11 The proposed membership of the Swindon Health and Wellbeing board is as set out in the draft Terms of Reference - Appendix One.
 - 3.12 All members of the Health and Wellbeing Board will be subject to Swindon Member's Code of Conduct when acting as a member of the board and will be subject to the standard requirements regarding declarations of interests.
 - 3.13 The membership will be reviewed annually at the Annual Meeting of council from May 2014 onwards. This will allow the membership to stay relevant to the work that the board chooses to focus on.
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The Swindon Health and Wellbeing Board

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Date: 20th March 2013

- 3.14 The Health and Wellbeing Board will align with the One Swindon Board and support the delivery of the One Swindon strategic priorities
- 3.15 The draft Terms of Reference and procedural rules for the new Health and Wellbeing Board is attached as appendix One.
- 3.16 The shadow Health and Wellbeing Board has been focusing on transition and the development of the Swindon Joint Strategic Needs Assessment and the development of the Swindon Joint Health and Wellbeing Strategy.

4. Alternative Options

- 4.1 There are no alternative options as the requirement to establish a local Health and Wellbeing Board by 1st April 2013 is set out in the 2012 Act.
- 4.2 The Council could seek to include additional members onto the Health and Wellbeing Board as outlined in the regulations.
- 4.3 The Council could decide on a different frequency of meetings

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no direct financial implications arising from the establishment of the Health and Wellbeing Board. However the statutory duties of the board will provide the opportunity to promote integrated commissioning and pooled budget arrangements across the NHS, social care and public health.
- 5.2 Although not a commissioning board in its own right, the HWB will have strategic influence over commissioning decisions across health, public health and social care. It will strengthen democratic legitimacy through the involvement of democratically elected representatives and patient representatives in commissioning decisions alongside commissioners across health and social care. It provides a local forum for challenge, discussion and the involvement of local leaders.

Legal and Human Rights Implications

- 5.3 Legal and Human rights have been taken fully into account in compiling this report. It is considered that the recommendations within this report are compatible with Convention Rights.
- 5.4 In consideration of any future guidance and an understanding of best practice from elsewhere, the council will work with the NHS and other partners in order to ensure that following the establishment of the statutory board in April 2013, that equalities and a respect for human rights are at the heart of the work of the

Further information on the subject of this report can be obtained from Cherry Jones, Direct Dial Telephone Number 01793 444681, cherryjones@swindon.gov.uk.

The Swindon Health and Wellbeing Board

Cabinet

Date: 20th March 2013

Health and Wellbeing Board, and that everyone in Swindon has fair access to services and are free from discrimination

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 The establishment of the Health and Wellbeing Board provides opportunity to improve the health outcomes of the people of Swindon and reduce health inequalities that exist across Swindon.

- 5.6 There should be no significant staffing or other implications arising from this report.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.7 The local authority has a duty to have regard to the Swindon Joint Strategic Needs Assessment and the Swindon Health and Wellbeing Strategy in the exercise of all functions. Officers and members will need to bear this in mind in their day to day roles.

The Health and Wellbeing Board will align with the One Swindon Board and support the delivery of the One Swindon strategic priorities.

Diversity Impact Assessment

- 5.8 A diversity impact assessment has not been completed at this stage but a diversity impact is being undertaken as part of the process to establish a local Health and Wellbeing Board.

Risk Management

- 5.9 The shadow Health and Wellbeing Board has a risk register. No specific risks identified at this stage for this report.

6. Consultees

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix One – Health and Wellbeing Board draft Terms of Reference

Further information on the subject of this report can be obtained from Cherry Jones, Direct Dial Telephone Number 01793 444681, cherryjones@swindon.gov.uk.

The Swindon Health and Wellbeing Board

Cabinet

Date: 20th March 2013

9. Key Decision/Decision in Forward Plan

- 9.1 This is not a Key Decision as it is for the Council to establish the Health and Wellbeing Board. The item is included in the Cabinet Work Plan/Forward Plan for March 2013.

Swindon Health & Wellbeing Board

Terms of Reference

1 Introduction

The Health and Social Care Act 2012 establishes health and wellbeing boards as a forum where key leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities.

The Swindon Health and Wellbeing Board is a collective board of senior stakeholders and local representatives.

Its primary role is to provide strategic leadership to improve the health and wellbeing of Swindon's population (both adults and children) and to reduce the inequalities in health experienced by some communities. It aims to:

- ensure delivery of improved outcomes for the people of Swindon bringing together national health and social care policy in conjunction with local priorities.
- achieve democratic legitimacy and accountability, and empower local people to take part in decision-making about local health and wellbeing.

2 Purpose

The purpose of the board is to improve the health and wellbeing of people of all ages in Swindon and to reduce health inequalities in Swindon.

3 Underlying Principles

- shared leadership of a strategic approach to the health and wellbeing of our local communities
- a commitment to driving real action and change to improve services and outcomes
- parity between board members in terms of their opportunity to contribute to the board's deliberations, strategies and activities
- shared ownership of the board by all the members (with commitment from their nominating organisations) and accountability to the communities it serves
- openness and transparency in the way that the board carries out its work
- inclusiveness in the way it engages with patients, service users and the public

3 Key responsibilities

The key responsibilities of the Board are;

Appendix

- To provide collective leadership, set strategic direction, prioritise local activity and present comprehensible plans of what will be done locally to address needs and improve health and wellbeing in alignment with the One Swindon priorities, outcomes and principles
- To prepare the Swindon Joint Strategic Needs Assessment which identifies the local health and wellbeing needs of our population ensuring
 - effective and meaningful engagement and dialogue with local communities and service users
 - joined up intelligence from local partners and stakeholders
- To prepare the Swindon Joint Health and Wellbeing Strategy
- To promote partnership and integration of commissioning and service delivery across health, social care, public health and other service areas including but not limited to housing, leisure and transport in conjunction with One Swindon and the Health and Wellbeing Strategy
- To ensure that the plans of local and regional commissioners, including the Clinical Commissioning Group commissioning plan, support delivery of the Swindon Joint Health and Wellbeing Strategy
- To monitor, evaluate and annually report on the Clinical Commissioning Group performance as part of the Clinical Commissioning Groups annual assessment by the national Commissioning Board
- To measure progress against local plans including the Clinical Commissioning Group plans, the Joint Health and Wellbeing Strategy and other supporting plans and ensure action is taken to improve outcomes when monitoring indicators show plans or initiatives are not working
- The One Swindon Partnership Board will be accountable for ensuring that One Swindon and the One Swindon Delivery Plan support the delivery of the Swindon Joint Health and Wellbeing Strategy.
- The Board will advise the One Swindon Partnership Board on strategic matters of health and wellbeing.
- The Board will ensure that commissioning decisions support the delivery of the Swindon Joint Health and Wellbeing Strategy
- The Board will refer the Commissioning Plans back to the Clinical Commissioning Group or to the NHS Commissioning Board if they do not take sufficient account of the Swindon Joint Health and Wellbeing Strategy
- Board members are accountable to each other for mobilising and co-ordinating partners and sharing resources to deliver agreed priorities.

The work programmes of the Swindon Health and Wellbeing Board, Health Overview and Scrutiny Committee (HOSC) and Swindon Healthwatch will be shared and loosely aligned to create pathways for influence, whilst maintaining independence and the role of scrutiny

5 Role of the board

In order to deliver its responsibilities, the board may decide to establish a subcommittee and delegate functions to them.

The board will do the following:

Coordinate partnership working

- Bring together NHS, public health and social care leaders with members of the local population and democratically elected representatives.
- Integrate the business action plans of partner organisations.
- Coordinate information sharing across partners
- Coordinate commissioning decisions to reflect the priorities identified by the board including the use of joint commissioning and pooled budgets where appropriate.
- Report to the One Swindon Partnership Board.
- Consult with service users and carers about service developments which will affect them.
- Work with the Local Safeguarding Children and Adult Boards to ensure all partners promote the safety and welfare of children and young people.
- Maximise effective and efficient working to avoid partner organisations duplicating each others' work.
- Link with the voluntary, community and social enterprise sector

Identify local needs

- Lead the development of the Joint Strategic Needs Assessment which identifies local health and wellbeing needs and priorities.

Set strategic direction and prioritise and communicate actions

- Prioritise actions, based on the agreed strategic direction, joint commissioning strategies and Joint Strategic Needs Assessment, to meet the needs of the current population without compromising the wellbeing of future generations.
- Communicate actions in publically available action plans.

Performance monitor

- Evaluate performance against locally agreed priorities.
- Evaluate performance against nationally set outcomes frameworks for the NHS, public health and social care.
- Scrutinise any major service redesign of the NHS.
- Produce annual reports of progress in relation to above action plans, in order that the board is publically accountable for delivery of these actions.

7 Membership

The membership will consist of:

The Leader of the Council (Chair)

Chief Executive of Swindon Borough Council

Cabinet Member for Health and Adult Social Care

Shadow Member for Adult Social Care

Director of Adult Social Care/ Children's Services

Director of Public Health

Swindon Healthwatch representative
Swindon Clinical Commissioning Group (CCG) representative
NHS Commissioning Board representative
Community, Voluntary, Social Enterprise Sector representative

In accordance with the regulations all members of the Swindon Health and Wellbeing Board are voting members and as such will be governed by Swindon Borough Council's Code of Conduct

All members or co-opted members must notify the council's Monitoring Officer of disclosable pecuniary interests and are prohibited from participating in discussion or voting on any matter relating to their interest

7 Procedures

Meetings of the shadow board will be chaired by the Leader of the Council and held every two months.

A quorum shall be four members. Each member is required to attend at least four of the six scheduled Health and Wellbeing Board meetings per year. Board members of the board will nominate a deputy who will attend in their absence and have delegated authority to make decisions. Nominated deputies will form part of the quorum

The Board will operate in accordance with the council's existing decision-making framework and normal council budget setting processes. A decision to exercise any further local authority functions by the Health and Wellbeing Board would therefore need to be taken by the appropriate decision-making body (e.g. cabinet or council).

8 Review Arrangements

The Swindon Health and Wellbeing Board Chair will lead an annual effectiveness review with the initial review being undertaken by March 2014.

APPROVED:

DATE OF REVIEW OF TERMS OF REFERENCE:

NEXT REVIEW:

REVIEW HISTORY:

Inaugural Terms of Reference:
First Review:
Second Review:

Approved
Approved Date
Approved Date

Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan – Inspectors Report and Adoption

Cabinet

Date: 20th March 2013

Author:	Cabinet Member for Strategic Planning and Sustainability, and Head of Planning
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To seek Cabinet's approval that the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan, as amended by the changes identified in the Inspector's Report, be recommended to Council for adoption.

2. Recommendations

Cabinet is recommended to:

- 2.1 Commend the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan, as amended by the changes identified in the Inspector's Report to Council for adoption; and
- 2.2 Authorise the Head of Planning and the Director of Law and Democratic Services to make minor changes to the content of the document (if required) prior to publication, in consultation with the Cabinet Member for Strategic Planning and Sustainability, and appropriate representatives of Wiltshire Council where necessary.

3. Detail

- 3.1 Swindon Borough Council and Wiltshire Council jointly prepare all minerals development planning documents covering the Wiltshire and Swindon area. The Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan provides detailed policies to support the adopted Wiltshire and Swindon Minerals Core Strategy in terms of formally identifying land to meet demand for future aggregate minerals within the two authorities to 2026.
- 3.2 Upon adoption, the Aggregate Minerals Site Allocations Local Plan will form part of the Council's statutory Development Plan, and will provide the planning framework against which decisions can be made in respect of minerals development proposals within Wiltshire County and Swindon Borough.
- 3.3 An Examination in Public on the soundness of the Plan was held in October 2012, in front of an independent Inspector. The Inspectors' Report has been published, which finds the document to be 'sound' thereby meeting statutory planning requirements, and supporting the Councils' approach to identifying sites.

Further information on the subject of this report can be obtained from Phil Smith, Direct Dial x6443, psmith@swindon.gov.uk.

Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan – Inspectors Report and Adoption

Cabinet

Date: 20th March 2013

The Inspectors Report

- 3.4 Whilst the Inspector's Report concluded the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan to be 'sound', the Report identified changes to ensure that the Plan satisfies the requirements of recently published Government planning regulations and guidance. These changes are minor and, whilst not binding on the Councils, have been made by the Inspector where he has identified a clear need to amend the documents in the light of the legal requirements and the tests of soundness. None of these changes materially alter the substance of the overall plan or the policies, or undermine the sustainability appraisal and participatory processes already undertaken. These proposed changes are detailed in the Inspectors Reports attached at Appendix 1.
- 3.5 The main proposed change with relevance to Swindon, is the addition of an overarching policy outlining that aggregate mineral development proposals on sites not identified within the Plan, will be considered on their own merits, if they demonstrate they are in keeping with national policy and the policies within the Minerals Development Plan. This reflects the requirement of the presumption in favour of sustainable development within the National Planning Policy Framework.

Next Steps

- 3.6 Once adopted, copies of the Plan will be distributed to statutory consultees, including Parish and Community Councils. The Plan will be made available to view at the offices of Wiltshire Council and Swindon Borough Council (Wat Tyler House) and at all libraries throughout Wiltshire and Swindon. The Plan will also be made available to view on the Councils' websites.

4. Alternative Options

- 4.1 Although there is no legal obligation on the Council to adopt the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan, the implication of not adopting the Local Plan would be to create a gap in the planning decision making process, which may lead to reliance on either out-dated or absent policies at the expense of more up-to-date policies which an Inspector has found to be sound.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The costs arising from publishing the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan are to be met from existing Planning budgets. It is anticipated that this will be the final Minerals and Waste Development Plan Document to be published in Swindon for the foreseeable future.

Further information on the subject of this report can be obtained from Phil Smith, Direct Dial x6443, psmith@swindon.gov.uk.

Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan – Inspectors Report and Adoption

Cabinet

Date: 20th March 2013

Legal and Human Rights Implications

- 5.2 The content of this report will not have a direct implication upon human rights issues. The document has been produced in accord with all statutory requirements and the Borough Council's adopted Statement of Community Involvement.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 The sustainability of the proposed sites is a critical element of the planning considerations, which are explained within the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.4 The Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan will form part of the development plan for Swindon which is a statutory requirement. It is a delivery mechanism for the Community Strategy and One Swindon priorities 'We can all benefit from a growing economy and a better town centre' and 'Living independently, protected from harm, leading healthy lives and making a positive contribution'.

Diversity Impact Assessment

- 5.5 A Diversity Impact Assessment (DIA) has been prepared; the DIA shows that there are no adverse impacts on the basis of age, disability, race, gender, sex, religion, sexual orientation, marital/civil partnership status or pregnancy maternity.

Risk Management

- 5.6 The Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan will form part of the statutory development plan for Swindon and is crucial to the success of the delivery of an adequate supply of aggregate minerals within Wiltshire and Swindon Borough. Without an adopted plan in place, there is a significant risk of aggregate mineral developments being located without due consideration to local communities and the local environment.

6. Consultees

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

Further information on the subject of this report can be obtained from Phil Smith, Direct Dial x6443, psmith@swindon.gov.uk.

Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan – Inspectors Report and Adoption

Cabinet

Date: 20th March 2013

7. Background Papers

Initial Site Options Report for the Wiltshire and Swindon Aggregate Minerals Site Allocations DPD (August 2010)

Wiltshire and Swindon Aggregate Minerals Site Allocations DPD (January 2012).

Wiltshire and Swindon Aggregate Minerals Site Allocations DPD Submission Draft (June 2012)

Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan: Consolidated Schedule of Modifications (November 2012)

Wiltshire and Swindon Aggregate Site Allocations Local Plan: Incorporating All Proposed Modifications (November 2012)

8. Appendices

Appendix 1: The Inspectors Report into the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan (February 2013).

9. Key Decision/Decision in Forward Plan

- 9.1 This is not a Key Decision and is included in the Cabinet Work Programme/Forward Plan for March 2013.



Report to Wiltshire Council and Swindon Borough Council

by Andrew S Freeman BSc(Hons) DipTP DipEM FRTPI FCIHT MEnvSc

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 5th February 2013

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO THE WILTSHIRE AND SWINDON

AGGREGATE MINERALS SITE ALLOCATIONS

LOCAL PLAN

Document submitted for examination on 20 July 2012

Examination hearings held between 23 and 25 October 2012

File Ref: PINS/K3930/429/7

ABBREVIATIONS USED IN THIS REPORT AND IN THE APPENDICES

Core Documents (referenced in parentheses in the text) are prefixed by the letters
CON, CPP, LDS or MIN

AA	Appropriate Assessment
ha	hectare
HRA	Habitats Regulations Assessment
LDSs	Local Development Schemes
m	metres
MCS	Minerals Core Strategy
MM	Main Modification
mtpa	million tonnes per annum
NPPF	National Planning Policy Framework
Para	Paragraph
PRoW	Public Right of Way
RS	Regional Strategy
SA	Sustainability Appraisal
SCIs	Statements of Community Involvement
SCS	Sustainable Community Strategy

Non-Technical Summary

This report concludes that the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan provides an appropriate basis for the planning of the County and Borough Area over the next 13 years providing a number of modifications are made to the Plan. The Councils¹ have specifically requested that I recommend any modifications necessary to enable them to adopt the Plan. All the modifications to address this were proposed by the local planning authorities and I have recommended their inclusion after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

- Adding reference to saved policies;
- Including a policy, and supporting text, on the presumption in favour of sustainable development;
- Justifying the absence of separate figures on soft sand;
- Amending the boundary of Inset Map 3: North Farm to exclude land not available for mineral extraction;
- Adding reference to a Zone of Sensitivity at Cox's Farm;
- Identifying a "stand-off" area at Blackburr Farm; and
- Justifying the loss of ancient woodland and strengthening the related provisions at Brickworth Quarry.

¹ Wiltshire Council and Swindon Borough Council

Introduction

1. This report contains my assessment of the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (Paragraph 182) makes clear that, to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authorities have submitted what they consider to be a sound plan. The basis for my examination is the Proposed Submission Draft (January 2012, MIN/01) which is the same as the document published for consultation in January 2012.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with Section 20(7C) of the 2004 Act, the Councils requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendices.
4. The main modifications that go to soundness have been subject to public consultation and, where necessary, Sustainability Appraisal (SA) and I have taken the consultation responses into account in writing this report.

Assessment of Duty to Co-operate

5. Section 20(5)(c) of the 2004 Act requires that I consider whether the Councils complied with any duty imposed on them by Section 33A of the 2004 Act in relation to the Plan's preparation. Section 33A requires constructive, active and ongoing engagement with local authorities and a variety of prescribed bodies in order to maximise the effectiveness of plan preparation.
6. Over the last 25 years, the Councils have been involved in a range of exercises concerning co-operative working on minerals planning matters. The main purpose of such co-operation has been to address issues relating to the long-term supply of minerals particularly in the Upper Thames Valley where there are shared interests with Gloucestershire County Council and Oxfordshire County Council. Examples of co-operation include:
 - Active and on-going involvement in the Aggregate Working Party;
 - Active involvement in the sub-regional apportionment process;
 - Active involvement in the preparation of minerals policies for inclusion in the draft Regional Spatial Strategy for the south west;
 - Working with Dorset County Council and Hampshire County Council on the completion of the Wessex Aggregates Study;

- Consultation and direct engagement on minerals plans prepared by neighbouring authorities; and
 - Adoption of policies relating to joint working in the adopted Minerals Core Strategy (CCP/54, Policies MCS 1 (C) and MCS 5).
7. Relevant bodies were involved in the preparation of the Aggregate Minerals Site Allocations Local Plan on more than a dozen occasions.² The Environment Agency, English Heritage and Natural England have been fully involved on a continuing basis in the preparation of documents to support the Plan. They have been involved in:
- Providing advice on the scope and content of the Site Selection and Site Appraisal Methodology;
 - Helping to inform the detailed assessments undertaken on all sites;
 - Helping to shape restoration objectives in the Plan; and
 - Responding to consultation on specific wording included in the Plan.
8. The Hydrogeological Impact Assessments on the sites in the Upper Thames Valley were specifically commissioned in response to concerns raised by the Environment Agency. In addition, specific wording regarding the Archaeology and Historic built environment sections of the Plan has been negotiated with English Heritage.
9. Liaison with neighbouring authorities and prescribed bodies has been embedded within the plan making process from its early stages. This has ensured that the approach to site selection and proposals of the Plan were in accordance with these bodies, plans and programmes from the outset. Consultation has been undertaken with neighbouring authorities and other prescribed bodies in order to understand the implications of the proposed Plan on the interests of these organisations.
10. Furthermore, a note was circulated (as an addition to the proposed submission consultation) to all neighbouring minerals planning authorities giving an additional opportunity to comment on the approach taken by the Councils in the preparation of the Plan and outlining the Councils' intention to proceed with a locally derived apportionment figure.
11. Evidence on all of the exercises that the Councils have undertaken in regards the duty to co-operate throughout the plan making process and the outcomes of these actions is detailed in Table 1 of the submitted Statement on the Duty to Co-operate (MIN/05).
12. I conclude that the Councils have worked collaboratively with other authorities and bodies and have co-operated effectively through a continuous period of engagement. The Local Planning Authorities have fulfilled the duty to co-operate with regard to the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan.

² See Councils' Position Statement on Matter 1 (WC/SBC/PS/MSA - MM1, September 2012), Para 12.6

Assessment of Legal Compliance

13. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets all these requirements. However, I have comments to make on the Local Development Schemes, community involvement and saved policies.

Local Development Schemes

14. The Local Development Scheme for Swindon (LDS/02), as submitted to the Secretary of State at the start of the examination process, referred to public examination of the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan in Winter 2011/2012 with adoption in July 2012. In the event, hearing sessions were held in October 2012. Adoption in Spring 2013 is now anticipated. To reflect these revised dates, an updated Local Development Scheme for Swindon has been prepared (LDS/07). The content and timing of the Plan are compliant with the revised scheme.

Saved policies

15. Regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012 states that, where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy. In this regard, Appendix 2 of the Wiltshire and Swindon Minerals Core Strategy 2006-2026 (CPP/54) indicates that a number of policies from the Wiltshire and Swindon Minerals Local Plan (CPP/56) are to be replaced under the Aggregate Minerals Site Allocations Local Plan. Reference is made to Policies 35 and 49 of the former Local Plan; also Annex 1.
16. In the event, a planning application is at the time of writing being considered against the existing policy framework including Policy 35 (Preferred Areas for Sharp Sand and Gravel) of the former Local Plan. As such Policy 35 is to be saved until the first review of the Aggregate Minerals Site Allocations Plan. Annex 1, as referred to above, has been replaced by the adopted Policy Framework. Regarding Policy 49 (Preferred Areas for Proposals for Cement Raw Materials), extraction of chalk (and related clay) in the county has now ceased. The policy is redundant.
17. There are, therefore, no policies in the adopted development plan that are to be superseded under the provisions of the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan. However, this is at variance with the expectations expressed in the Minerals Core Strategy. In order to regularise and clarify matters, main modifications (**MM1 and MM2**) are recommended.

Community involvement

18. With regard to community involvement, there are concerns from representors that the guidance, procedures and good practice of central and local government have not been followed, notably in the selection, assessment and elimination of individual sites. It is felt that discussions have taken place behind closed doors and democratic rights of involvement have been denied. In addition, communication with parties has been lacking.

19. I appreciate that the process of making decisions is involved and often difficult to understand. In addition, and particularly for those without internet access, keeping in touch with developments and accessing relevant documents can be a considerable difficulty. However, there has been compliance with the Statements of Community Involvement (SCIs). I do not find that the consultation process was flawed. The time periods of consultation met the requirements of the Regulations and the SCIs.

LEGAL REQUIREMENTS	
Local Development Schemes (LDSs)	The Local Plan is identified within the approved LDSs for Wiltshire (August 2012 update) and Swindon (November 2012) which set out expected adoption dates of December 2012 / Spring 2013. Preparation of the Local Plan has been in accordance with the LDSs.
Statements of Community Involvement and relevant regulations	The Statements of Community Involvement were adopted in February 2010 (Wiltshire) and January 2007 (Swindon). Consultation has been compliant with the requirements therein including consultation on the post-submission proposed "main modification" changes (MM).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The Habitats Regulations AA Screening Report (January 2012) sets out why AA is not necessary.
National Policy	The Local Plan complies with national policy except where indicated and modifications are recommended.
Regional Strategy (RS)	The Local Plan is in general conformity with the RS.
Sustainable Community Strategies (SCSs)	Satisfactory regard has been paid to the SCSs.
2004 Act (as amended) and 2012 Regulations	The Local Plan complies with the Act and the Regulations.

Assessment of Soundness

Preamble

20. The main context for the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan is set by the Wiltshire and Swindon Mineral Core Strategy as adopted in June 2009. Amongst other things, the Core Strategy sets a strategic policy framework for meeting the need for minerals and managing minerals development.
21. The Core Strategy identifies a number of Aggregate Resource Areas. These are Upper Thames Valley; Calne Area; South East of Salisbury; Bristol Avon; and Salisbury Avon. Sand and gravel development in the short and medium term is envisaged in the first three of these resource areas. The Site Allocations Local Plan draws on these provisions by proposing allocations in those same areas.

22. The majority of the allocations (five out of seven) are in the Upper Thames Valley. The allocated sites are known respectively as Cox's Farm; Blackburr Farm; North Farm; land east of Calcutt; and land at Cotswold Community. There is one proposed allocation within the Calne Area (land at Compton Bassett). The remaining allocation (extensions to Brickworth Quarry) is in the South East of Salisbury Area.
23. The preparation of the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan and its examination have taken place at a time of change. For example, the Government intends to revoke regional strategies including the Regional Planning Guidance for the South West. Further, the National Planning Policy Framework, published in March 2012, now provides the main context for the preparation of local plans. Other relevant policy documents have also been published. The most recent is "Guidance on the Managed Aggregate Supply System" (October 2012).
24. Although there is an intention to abolish the Regional Planning Guidance for the South West, this regional strategy remains part of the development plan. For the time being, the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan must be in general conformity with the regional strategy.
25. Much of the evidence base for the Regional Planning Guidance for the South West is considerably out of date. The same applies to that for the draft Regional Spatial Strategy for the South West 2006-2006. Evidence prepared for the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan is more recent and presents an up-to-date picture on minerals issues. Nevertheless, key aims and principles from the Regional Planning Guidance for the South West remain relevant and are reflected in the Site Allocations Local Plan.
26. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. Facilitating the sustainable use of minerals is addressed in the Framework and in the accompanying Technical Guidance.
27. Specific instances of accordance or otherwise with the National Planning Policy Framework are addressed in the body of my report. However, there are two matters for preliminary attention. These are the new presumption in favour of sustainable development; and a new soundness requirement, namely that local plans should be positively prepared.
28. With regard to the presumption in favour of sustainable development, the Councils are proposing to include, in the Site Allocations Local Plan, a policy based on the Planning Inspectorate's related model condition together with supporting text that reflects the wording in the Framework. These changes would be introduced through a main modification (**MM3**).
29. In terms of the new soundness requirement, the Framework requires that the Plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements. In this regard, a steady and adequate supply of minerals would be yielded from a variety of sources and locations. The provisions can be considered to be positive and enabling. They

set out the circumstances where development would be permitted rather than seeking to restrict growth.

30. I find that the Plan has been positively prepared and is sound in this regard. In addition, with the incorporation of main modification **MM3**, there would be a clear statement of the Councils' intention to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. As such, there would be accordance with this important new strand of national policy.
31. As noted above, "Guidance on the Managed Aggregate Supply System" was published in October 2012. This was after the effective close of the examination hearings. Representations from interested parties were invited as part of the consultation on the post-hearing modifications. I have taken the consultation responses into account in writing this report.

Main Issues

32. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I have identified two main issues upon which the soundness of the Plan depends.

Issue 1 – Whether appropriate provision is made for the steady and adequate supply of sharp sand, gravel and soft sand; whether there is flexibility regarding the availability of sites; and whether additional allocations should be made

Appropriate apportionment

33. One of the controversial matters discussed at the examination hearings was the amount of sand and gravel that should be produced each year. Certain owners and industry representatives were concerned that the "apportionment" was too low and that greater provision should be made or that a higher contingency figure should be included as part of the proposed provision.
34. In this regard, the Minerals Core Strategy anticipates provision at a rate of 1.85 million tonnes per annum (mtpa). A more recent figure can be found in the National and Local Guidelines for Aggregate Provision 2005-2020, September 2011. These propose a local guideline figure of 1.41 mtpa. In contrast, the rate envisaged under the Minerals Allocations Plan is 1.20 mtpa.
35. National policy on aggregate supply is now set out in the National Planning Policy Framework. This post-dates the Minerals Core Strategy. Paragraph 145 of the Framework indicates that supply should be based on a rolling average of 10 years' sales data and other relevant local information. Planning for a steady and adequate supply of aggregates would be informed by the preparation of an annual Local Aggregates Assessment.
36. The Councils have produced a Local Aggregates Assessment which has, in turn, been used to inform preparation of the Site Allocations Plan. The Assessment demonstrates that, over the last 10 years (2002-2011 inclusive) the average annual production in Swindon and Wiltshire is the equivalent of 1.02 mtpa.

37. Given uncertain economic times, the Assessment suggests that a local forecast figure of 1.20 mtpa should be used. This would offer the flexibility required to increase production as and when economic conditions dictate and would factor in any discrepancies between estimated reserves and actual reserves.
38. Critics point out that the deposits in Wiltshire, notably in the Upper Thames Valley, are part of a shared resource that covers a wide catchment including parts of Gloucestershire and Oxfordshire. Wiltshire is in fact a "shortfall authority" where there is evidence of consumption being above local output. In addition, attention is drawn to the commercial strategies of extraction companies. These strategies have a bearing on levels of output in Wiltshire.
39. As to the Local Aggregates Assessment, there are criticisms of the way that this has been carried out. In addition, it is felt that the results merely give an average of previous production, not necessarily an indication of future requirements. In particular, it is felt that too much emphasis is placed on the past three years when there has been a major economic recession. Further, the landbank would be below the seven year requirement referred to in the National Planning Policy Framework.
40. For my part, I recognise that the minerals in Wiltshire are a shared resource, that commercial strategies are at play and that production in Wiltshire and Swindon falls short of actual consumption. However, these are not new factors. They are reflected in the sand and gravel production figures which, in the Local Aggregates Assessment, are shown over a 21-year period. The landbank picture also reflects local circumstances.
41. As to the Local Aggregates Assessment, I appreciate that the way in which it was prepared was not in complete accordance with current guidance and best practice. Nevertheless, I do not consider that the results are flawed. They are based on the rolling average of 10 years' sales data as now required by the National Planning Policy Framework. In addition, a reasonably healthy contingency is included for unforeseen circumstances. The figure would also be the subject of monitoring and management under Minerals Core Strategy Policy MCS 11.
42. I am aware that the sales data presents a mixed picture including a decline in sales notably over the last three years. However, the work follows the approach advocated in the National Planning Policy Framework. In addition, the recent "Guidance on the Managed Aggregate Supply System" states that mineral planning authorities should look at the average 3 year sales to identify the general trend of demand.³ I do not consider that average sales will differ markedly from those assessed by the Councils certainly in the foreseeable future.

Soft sand landbank

43. The key outstanding matter concerns the necessity or otherwise for a separate soft sand landbank. National policy as expressed in the National Planning Policy Framework states that minerals planning authorities should plan for a steady and adequate supply of aggregate by, amongst other things, calculating and maintaining separate landbanks for any aggregate materials of

³ NPP/162, footnote on Page 2

a specific type or quality which have a distinct and separate market. Soft sand would be a case in point. However, in common with the Minerals Core Strategy, the Site Allocations Plan does not make separate provision for soft sand.

44. The local evidence indicates that, in Wiltshire and Swindon, there are only two operational soft sand quarries. This raises the question of the need to maintain commercial confidentiality. Having a separate landbank calculation for soft sand would not protect the commercial interests of the current operating companies. If such information were included it would be relatively easy to calculate the remaining reserves.
45. In addition, I note that the Plan is essentially seeking to maintain existing patterns of supply from current mineral working areas. Soft sand-type minerals are produced from traditional sharp sand and gravel-producing quarries. The sales of soft sand are dictated by market forces.
46. I conclude that regard has been paid to national policy but there are local circumstances that militate in favour of an approach slightly different from that in the National Planning Policy Framework. However, the justification for the different approach is not set out in the Proposed Submission Draft. This omission would be corrected through a main modification (**MM4**).

Additional allocations

47. Few representors put forward sites that they would wish to see allocated through the mechanism of the Site Allocations Local Plan. There are four sites in total. Two of the sites (known as Sites U15 and U17) are in the Upper Thames Valley Resource Area, south of Ashton Keynes. The other two sites are in the Calne Area. One is north of Bromham (Site C8). The other is adjacent to Sahara Sand Pit (Site C16).
48. Whilst in all cases there could be issues of viability, I have not read or heard any evidence that would demonstrate that any one of these sites is unacceptable in principle. Nevertheless, having regard to the site assessment process and my conclusions below on the second main issue, I would not judge any of the sites to be better than those already allocated. More particularly, given my conclusions on the adequacy of the sand and gravel "apportionment", I conclude that there is no need for additional allocations. The requirements of the Plan area would be met by the Councils' proposals.
49. It is not necessary for me to conclude on the detailed merits of the objection sites. There is no need for allocations beyond those identified by the Councils. In such circumstances, it would be open for owners or mineral operators to take forward proposals for mineral extraction under the provisions of the Minerals Core Strategy (Policy MCS 1 (B)) and this Site Allocations Plan as proposed to be modified (Policy MSA 1 – MM3 refers).

Issue 2 - Whether the allocated sites are acceptable in environmental terms and in other respects; and whether the sites are deliverable

Deliverability

50. Dealing first with the matter of deliverability, general concern was expressed in the representations about whether the resource yield envisaged for each allocated site would be realised in practice. In some cases, as at North Farm, it was felt that the nature of the deposits in parts of the site would render extraction uneconomic. Elsewhere, the concern related to the "loss" of deposits that would not be worked. Examples include land at North Farm, the proposed Zone of Sensitivity at Cox's Farm and a heritage standoff area at Blackburr Farm.
51. For my part, I recognise that there are uncertainties regarding the amounts of sand and gravel that could be extracted from the various sites. However, I have no reason to suppose that the yields would be materially different from the amounts assumed in the Proposed Submission Draft. In any event, and as stated above, a certain contingency has been built into the proposed local forecast figure. The sites would make an essential contribution to the requirements of Wiltshire and Swindon. There are no overriding considerations.
52. There is one particular instance where I find that the provision of the Plan would not be deliverable. This is at North Farm where, at the examination hearings, it became clear that the boundary proposed for the allocated site would include land in the ownership of representors and would not be available for mineral extraction. The area involved is limited. However, to the extent that the proposals would not be deliverable, the Plan would not be effective. It would be contrary to national policy. The boundary would need to be changed through a main modification (**MM5**).

Acceptability in environmental terms

53. There are a number of matters that relate to the acceptability or otherwise of the various allocated sites in environmental terms. Broad topics include the water environment; traffic; noise and dust; heritage; landscape and visual impact; and biodiversity.

Water environment

54. The water environment in the Thames Valley and the possibility of cumulative flood effects is an important concern. In this regard, although a Strategic Flood Risk Assessment has been carried out, the Environment Agency cannot comment on unacceptable flood risk without seeing specific flood risk assessments. This is understandable. The design of individual schemes would have a bearing on matters such as storage capacity and water impedance.
55. As to national policy, sand and gravel working are regarded as water-compatible developments. Nevertheless, a site-specific flood risk assessment would be necessary for proposals of 1 ha or greater in Flood Zone 1 and all proposals for new development in Flood Zones 2 and 3.

56. The Proposed Submission Draft is in line with national policy. Flood risk assessments would need to be submitted with any subsequent planning application. If the environment could be significantly compromised as a result of the specifics of the developments, I would expect applications for sand and gravel extraction to be refused.

Traffic

57. Traffic effects are of potential importance in all areas. However, there are particular concerns in the Upper Thames Valley and in the Calne area.
58. In the Upper Thames Valley, there would be heavy goods vehicle movements to and from various proposed extraction sites along C-class roads. However, I observed that such roads are of a reasonable width and alignment. Necessary improvements and alterations could be carried out as part of the development management process. Bearing in mind the safeguards contained within the Plan and in the policies of the Minerals Core Strategy, I find that the provisions are soundly based.
59. With regard to the allocated site near Compton Bassett, the principal concern is the effect on the market town of Calne and its road network. This is in circumstances where there have been a number of significant developments and others are in prospect. Again, I find that the proposals are sound. Any application would have to be accompanied by a Transport Assessment. The aim would be to identify the measures that would need to be taken to adequately mitigate or compensate for the anticipated transport and related environmental impact of the proposals.

Noise and dust

60. In terms of noise and dust, there would be a potential effect on individual properties at all sites. In this regard, I recognise that noise, dust and other environmental impacts are difficult to mitigate completely. However, under the terms of the Plan and the Minerals Core Strategy, I would expect controls to be exercised such that impacts would be contained within acceptable limits.
61. An exception would be the site at Cox's Farm where the land is fringed by the village of Marston Meysey to the west and by a cluster of properties at Cox's Farm and by the village of Dunfield to the east. Without further controls in the Plan, I find that the amenity of residential occupiers could be significantly affected. The setting of Marston Meysey and Dunfield could also be compromised.
62. The solution has been to identify a Zone of Sensitivity. This would be effected through a series of main modifications (**MM6 – MM12**). In accordance with national policy, this would help safeguard residents' amenities. There would also be benefits in terms of safeguarding the rights of way network and the historic character and landscape setting of Marston Meysey and Dunfield.

Heritage

63. The setting of the Marston Meysey and Dunfield Conservation Areas would be protected through the mechanism of the Zone of Sensitivity referred to above. However, heritage issues are also of concern at Blackburr Farm. Here, areas of the landscape are of historic importance and sensitivity; there is evidence of features of archaeological interest; and the setting and heritage significance of St Mary's Church (Grade 1 listed) and the Castle Eaton Conservation Area need to be protected.
64. Following discussions with English Heritage, and to accord with national policy, it is agreed that protection should be afforded through the definition of a stand-off area in the southeastern corner of the Blackburr Farm site, close to Castle Eaton. The revised wording and inset map are the subject of main modifications (**MM13 – MM16**).

Landscape and visual impact

65. The potential impact of mineral extraction on the landscape of the Upper Thames Valley is a particular concern. Although not a protected landscape, the flood meadows and other local features such as ancient trees and hedgerows are highly valued. There are long views and wide vistas notable along the river itself and towards rising ground and woodland planting to the south. Views from the elevated ground are of equal importance.
66. Exposed mineral workings, bunds, screening and the like have the potential to mar the landscape and to be visually intrusive. Unsympathetic restoration could lead to an industrially influenced or other landscape incongruous to the character of the area.
67. I recognise that short-term works and poorly conceived restoration could cause significant visual impact and harm landscape character. However, the Site Allocations Local Plan sets out clear and appropriate restoration objectives for all the sites. In addition, detailed schemes would be the subject of conditions and obligations and would be judged against the adopted environmental policies in the Minerals Core Strategy. Detailed proposals would be tested at the planning application stage. I am satisfied that, given the various provisions and safeguards, there are no overriding objections to the principle of sand and gravel extraction at the allocated sites.

Biodiversity

68. The grazing marshes in the Upper Thames Valley floodplain are the subject of flooding that has been described as a "seasonal spectacular". However, these and other habitats would be the subject of loss and direct disturbance by sand and gravel workings. The continuity of the habitat corridor along the River Thames is also threatened. There would be a potential effect on creatures that include otters, water vole, bats, badgers and nationally important birds.
69. For my part, I find that the Site Allocations Plan provides a considered response. For example, there is reference to meeting the targets of Biodiversity Action Plans, providing habitats for creatures such as farmland birds, harvest mice, otters, water vole and curlew. Improving connectivity

between habitats and movement for mammals, birds and bats across or around allocated sites is also specifically mentioned.

70. There is always the possibility that the conditions upon restoration would be at odds with those of the creatures currently using the sites. However, it appears to me that clear objectives and safeguards are in place through the provisions of the Sites Allocations Plan and the related Minerals Core Strategy. In addition, the statutory protection afforded to key species and habitats would still have force. I see no overriding objection to the principle of allocating the various sites for the extraction of sand and gravel.
71. With regard to the proposed extensions to Brickworth Quarry, there is a different key consideration. This concerns the presence of ancient woodland within the boundaries of the two extension sites. The National Planning Policy Framework, at Paragraph 118, advises that development resulting in the loss or deterioration of ancient woodland should be refused. In addition, Paragraph 9 of the Framework seeks positive improvements in the quality of the natural environment; and Paragraph 109 calls for contributions to the enhancement of the natural and local environments.
72. Having regard to the evidence before me, and my own site inspection, I note that extraction would affect areas that are by definition ancient woodland. However, within these areas, there are no ancient or veteran tree specimens. The area is currently in use as agri-forestry and is planted with conifers under a woodland management scheme. The trees on this part of the estate are felled regularly. Planning permission has already been granted for the felling of parts of the woodland in the area to allow mineral working to take place.
73. In the circumstances, I feel that priority should be given to protecting the quality and integrity of the soils on the site as they represent the potential seed bank for typical ancient woodland species. Benefits would be maximised through restoration to lowland mixed deciduous woodland with retention and conservation of the ancient woodland soils carefully managed through the extraction process. In addition, a suitable soil handling strategy would help conserve the seed bank.
74. Bearing in mind the important contribution that the land at Brickworth Quarry would make to the needs of Wiltshire and Swindon, I find that there is a clear case for the loss of what is defined as ancient woodland. However, there needs to be clearer justification of this departure from national policy; and also strengthening of the provisions relating to the protection and retention of the soils. In addition, and in order to provide greater consistency with Paragraphs 9 and 109 of the National Planning Policy Framework, the entire site should be restored to priority habitat. Main modifications **MM17 and MM18** refer.

Overall Conclusion and Recommendation

- 75. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**

76. The Councils have requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that, with the recommended main modifications set out in the Appendices, the Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Andrew S Freeman

INSPECTOR

This report is accompanied by Appendix A below containing Main Modifications. The modified inset maps for North Farm (Inset Map 3), Cox's Farm (Inset Map 1) and Blackburr Farm (Inset Map 2) are illustrated in Appendices B, C and D (separate).

Appendix A – Main Modifications

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text or by specifying the modification in words in *italics*. The page numbers and paragraph numbering refer to the Proposed Submission Draft and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification				
MM1	After Page 60	New Appendix 2	<p>Add a new Appendix:</p> <p><u>Appendix 2: Policies of the Minerals Local Plan to be continued to be saved</u></p> <table><tr><td><u>Minerals Local Plan policy</u></td><td><u>To be saved or replaced by the Aggregate Minerals Site Allocations Plan</u></td></tr><tr><td><u>Policy 35</u></td><td><u>To be saved until the first review of the Aggregate Minerals Site Allocations Plan.</u></td></tr></table>	<u>Minerals Local Plan policy</u>	<u>To be saved or replaced by the Aggregate Minerals Site Allocations Plan</u>	<u>Policy 35</u>	<u>To be saved until the first review of the Aggregate Minerals Site Allocations Plan.</u>
<u>Minerals Local Plan policy</u>	<u>To be saved or replaced by the Aggregate Minerals Site Allocations Plan</u>						
<u>Policy 35</u>	<u>To be saved until the first review of the Aggregate Minerals Site Allocations Plan.</u>						
MM2	After Page 60	New Appendix 2	<p>Immediately after the heading for new Appendix 2 (MM1 above), insert the following text:</p> <p><u>Annex 1 is replaced by the adopted Wiltshire and Swindon Minerals Policy Framework. As such, those residual preferred areas listed in Policy 35 (currently the subject of a planning application) will be considered against the current adopted policy framework.</u></p> <p>Regarding policy 49, the decision by Lafarge Cement UK to</p>				

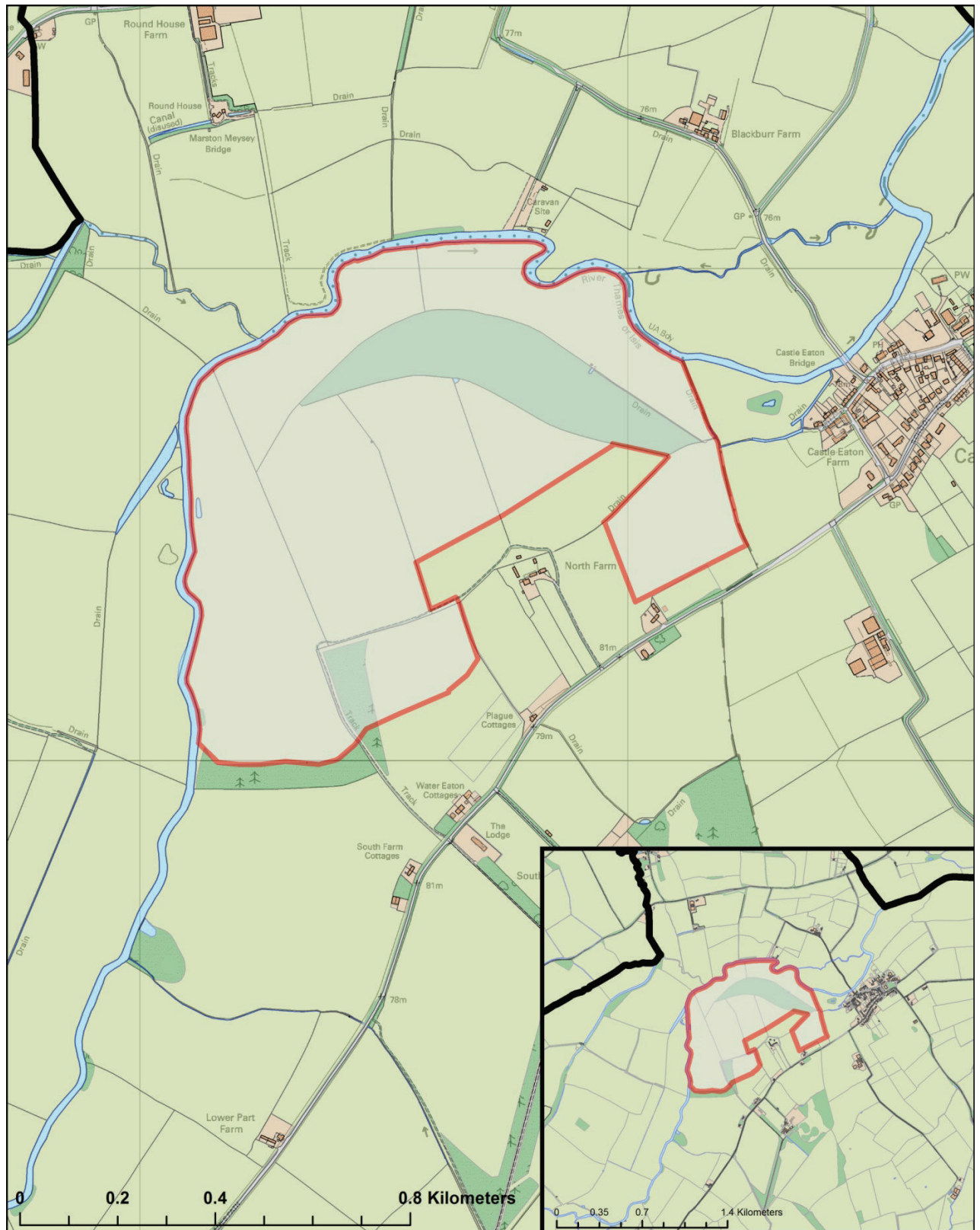
Ref	Page	Policy/ Paragraph	Main Modification
			<u>cease mineral extraction (chalk and clay) at Westbury essentially renders the policy redundant.</u>
MM3	Page 2	Para 1.8	<p>Delete Paragraph 1.8. By way of replacement, insert the following heading and text at the end of the Introduction:</p> <p><u>Compliance with the National Planning Policy Framework (NPPF)</u></p> <p><u>In principle the councils will be supportive of appropriate applications for minerals development within the locations set out in this document. However this should not be viewed as a guarantee that development will be permitted in all cases.</u></p> <p><u>In compliance with the requirements of the NPPF (paragraph 15) and to adhere to the presumption in favour of sustainable development, proposals for mineral development on sites not included within this document or in areas that lie outside of the identified Minerals Resource Zones will still be considered on their own merits, if they demonstrate that they are in keeping with national policy and the policies of the development plan (see policy MSA 1). (Footnote)</u></p> <p><u>Footnote text: In line with policies MCS1 and MCS1(A) of the adopted Wiltshire and Swindon Minerals Core Strategy Development Plan Document (DPD) (June 2009).</u></p> <p><u>Policy MSA 1:</u></p> <p><u>When considering proposals for minerals development the councils will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Each council will work pro-actively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</u></p> <p><u>Planning applications that accord with the policies in this Local Plan (or policies in other adopted Local Plans of the councils) will be approved without delay, unless material considerations indicate otherwise.</u></p> <p><u>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then planning permission will be granted unless material considerations indicate otherwise taking into account whether:</u></p> <ul style="list-style-type: none"> <u>• Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or</u> <u>• Specific policies in the NPPF indicate that development should be restricted.</u>
MM4	Page 7	Para 1.29	<p>After the words "should be treated flexibly" add the following italicised text:</p> <p><i>In the interests of protecting commercial confidentiality in the plan area and to accord with policy MCS1 of the Minerals Core</i></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<i>Strategy, the councils do not...purposes of landbank maintenance. In line with government guidance on the Managed Aggregate Supply System, the plan is principally seeking to maintain existing patterns of supply from current mineral working areas. In part this is due to the fact that soft sand type product has been known to be produced from traditional sharp sand and gravel producing quarries in the plan area.</i>
MM5	Page 22	Inset Map 3	For Inset Map 3: North Farm, substitute the Inset Map illustrated in Appendix B attached.
MM6	Page 12	Inset Map 1	For Inset Map 1: Cox's Farm, substitute the Inset Map illustrated in Appendix C attached.
MM7	Page 13	Preferred restoration objective	Delete the sixth sentence. Replace with the following italicised text: <i>In addition, there should be no net loss or degradation of the important PRow network in the area. These features should, where possible, be maintained during working and enhanced during restoration. The 'Zone of Sensitivity' (see Inset Map 1) should also be integrated into the wider restoration scheme and PRow network.</i>
MM8	Page 14	Human health and amenity	Add the following text at the end of the human health and amenity section: <u>To protect the historic character and residential amenity of Marston Meysey, Dunfield and Cox's Farm (see Inset Map 1) a 'Zone of Sensitivity' incorporating a proposed minimum 100m 'stand off distance' and precise details concerning the boundaries of the Zone, the treatment of those boundaries, the phasing of works within the site and other amelioration measures during the operations will need to be negotiated and agreed at the planning application stage.</u>
MM9	Page 14	Landscape and visual	Amend the second sentence to read: <i>However, further detailed assessment through the planning application process will be required to identify and develop a scheme of working to protect the historic landscape setting of Marston Meysey, Dunfield and Cox's Farm.</i>
MM10	Page 14	Landscape and visual	Add a new third sentence: <u>A 'Zone of Sensitivity' (see Inset Map 1) incorporating a proposed minimum 100m 'stand off distance' and precise details concerning the boundaries of the Zone, the treatment of those boundaries, the phasing of works within the site and other amelioration measures during the operations will need to be negotiated and agreed at the planning application stage.</u>
MM11	Page 14	Historic built environment	Amend the first sentence to read: <i>Mitigation will need to offer robust buffer and landscape screening to the west and east of the site in order to protect the setting of Cox's Farm and the Marston Meysey and Dunfield</i>

Ref	Page	Policy/ Paragraph	Main Modification
			<i>Conservation Areas.</i>
MM12	Page 14	Historic built environment	<p>Add a new second sentence:</p> <p><u>A 'Zone of Sensitivity' (see Inset Map 1) incorporating a proposed minimum 100m 'stand off distance' and precise details concerning the boundaries of the Zone, the treatment of those boundaries, the phasing of works within the site and other amelioration measures during the operations will need to be negotiated and agreed at the planning application stage.</u></p>
MM13	Page 17	Inset Map 2	For Inset Map 2: Blackburr Farm, substitute the Inset Map illustrated in Appendix D attached.
MM14	Page 19	Landscape and visual	<p>Before the final sentence, insert the following text:</p> <p><u>No minerals extraction (including associated activity) shall take place within the 'stand-off' area marked on Inset Map 2 due to its historic landscape importance and sensitivity. Within this area the existing open arable/pastoral character should be retained. Strategic screening of the site should be achieved through the planting of native species along the 'stand-off' area boundaries to strengthen existing hedgerows.</u></p>
MM15	Page 20	Archaeology	<p>Add the following wording at the end of the amended section:</p> <p><u>Evidence of the remains of an undated settlement in the south east corner of the site, in addition to the significance of the historic landscape and built environment, has contributed to the identification of a "stand-off" area (as illustrated on Inset Map 2) to ensure those archaeology features of such importance are preserved in situ.</u></p>
MM16	Page 20	Historic built environment	<p>Add the following wording at the end of the section:</p> <p><u>The site is adjacent to the Castle Eaton Conservation Area and St Marys Church (Grade 1 Listed). The adjacent open low lying area in the south eastern part of the site contributes to an appreciation of the significance of these heritage assets. Therefore, if not appropriately and sensitively designed, minerals development on this site would cause substantial harm to these heritage assets.</u></p> <p><u>In response to this important issue and following dialogue with English Heritage, a 'stand-off' area has been identified (as marked on Inset Map 2) to protect the setting and heritage significance of St Marys Church. No minerals extraction (including associated activity) shall take place within this 'stand-off' area and the existing open arable/pastoral character should be retained. Strategic screening of the site should be achieved through the planting of native species along its boundaries to strengthen existing hedgerows.</u></p> <p><u>Any subsequent planning application relating to the development of this site will have to appropriately address the need to safeguard the cultural and historic assets identified and adhere to the requirements of the necessary "stand-off" area. Due to the national importance of St Marys Church,</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			English Heritage should be consulted on any future application.
MM17	Page 48	Site description	<p>At the end of the third sentence in the first paragraph, add the following text:</p> <p><u>However, the site is currently in agri-forestry use and planted with conifers under a woodland management scheme and so the trees on site cannot technically be considered ancient. The vitally important aspect of this site, and the basic prerequisite that will have to be secured before the sites (Areas A and B on Inset Map 7) can be worked for minerals is the need to robustly protect and retain the soils (structure and quality) as they contain the potential seed bank for re-establishing typical Ancient Woodland species post-restoration.</u></p>
MM18	Page 48	Preferred restoration objective	<p>In the second sentence of the first paragraph, delete the following words:</p> <p>“whilst agricultural grazing could also be delivered in places”</p>

Appendix B – Main Modification Ref MM5 – Replacement Inset Map 3: North Farm



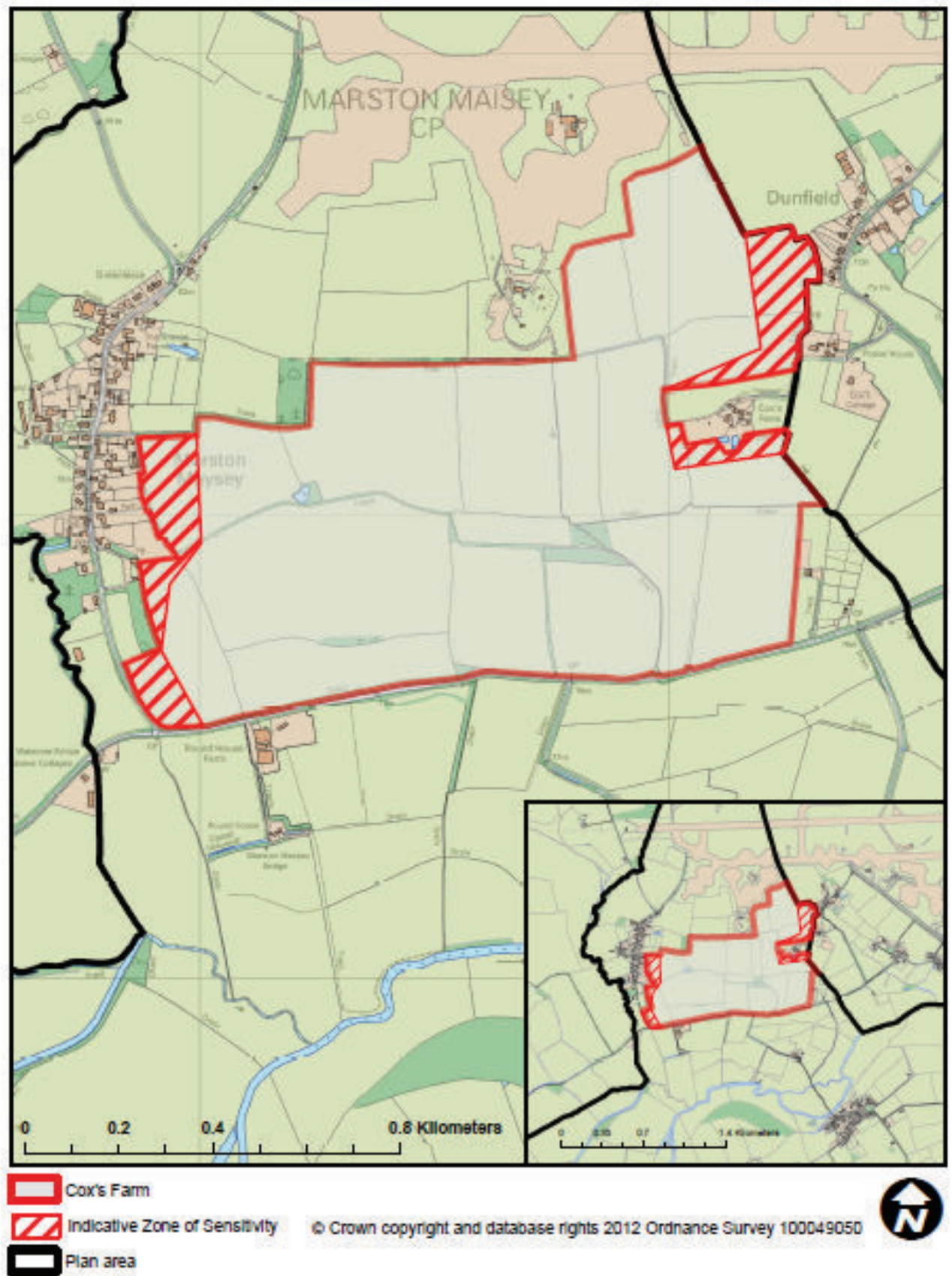
- North Farm
- Plan area

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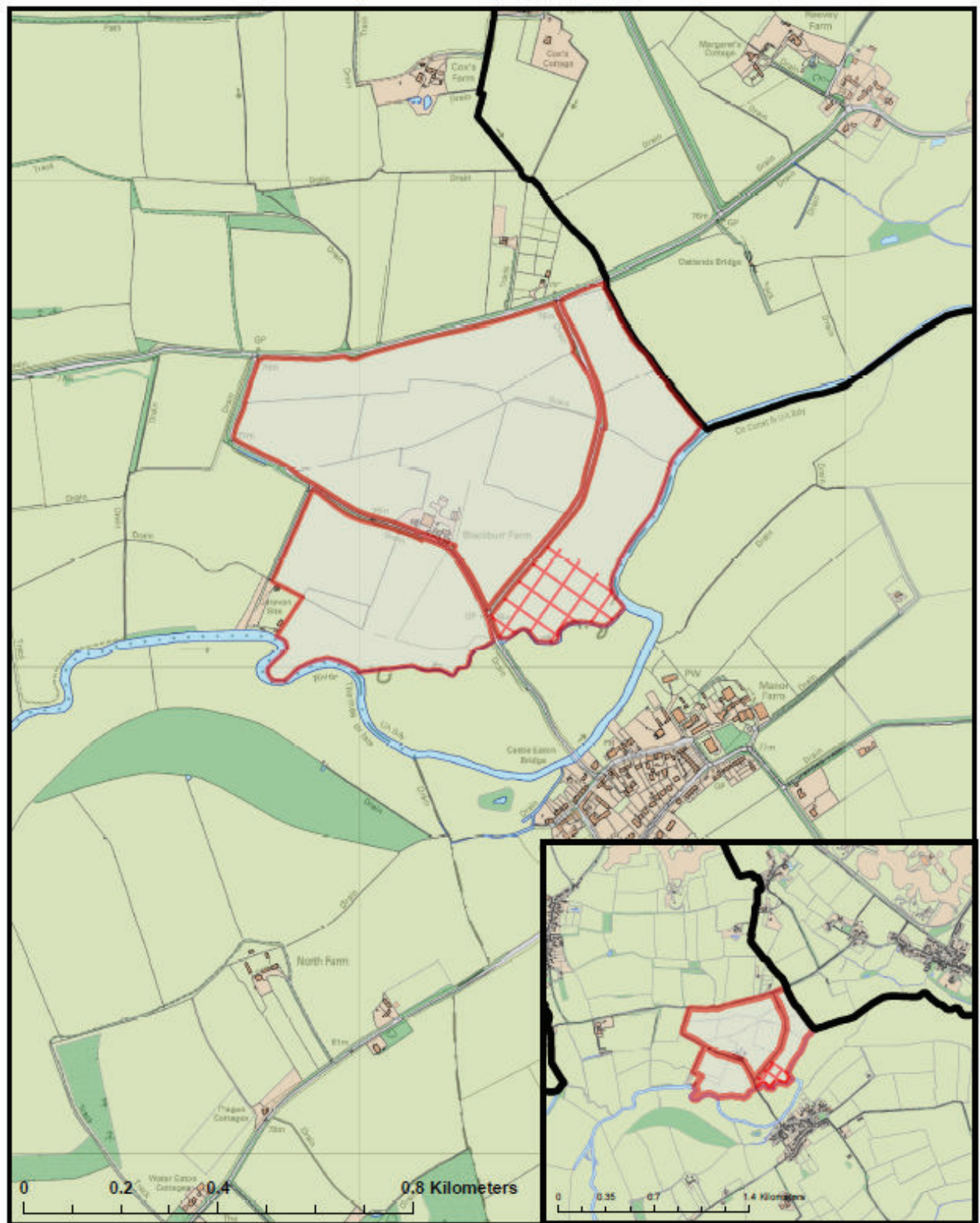


Appendix C – Main Modification Ref MM5 – Replacement Inset

Map 1: Cox's Farm



Appendix D – Main Modification Ref MM13 – Replacement Inset Map 2: Blackburr Farm



- Blackburr Farm
- X Standoff Area
- Plan area

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Fourteenth Report of the
Committee on Standards in Public Life

Standards matter

*A review of best practice in
promoting good behaviour in public life*

Principle	Revised description
<i>Selflessness</i>	Members should act solely in terms of the public interest.
<i>Integrity</i>	Members must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
<i>Objectivity</i>	Members must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
<i>Accountability</i>	Members are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
<i>Openness</i>	Members should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
<i>Honesty</i>	Members should be truthful.
<i>Leadership</i>	Members should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

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Appendix A

List of parishes whereby submissions have been received at the final consultation stage

1. Covingham
2. Haydon Wick
3. Highworth
4. Stratton
5. Wroughton

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HONDA TASK FORCE – SUMMARY OF SUPPORT TO HONDA

Cabinet

Date: 20 March 2013

Author: Cabinet Member for Regeneration and Culture
Board Director, Commissioning (DCS/DASS)

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1. This report is in response to the motion at the meeting of the Full Council on the 17th January 2013 moved by Councillor Rod Bluh, seconded by Councillor Jim Grant and to which Councillor Stan Pajak concurred:

“That this Council notes with regret the announcement that Honda, a key local employer, will be making 800 posts redundant as a result of the company’s current trading position in the European market. The Council requests:

The Leader of the Council to continue to work with Swindon’s Members of Parliament to do all they can to attract Government support for the workers and their families who will be affected by these job losses; and

The Cabinet Member for Regeneration and Culture to bring a report to Cabinet no later than 20th March 2013, with a report to Council no later than 11th April 2013 setting out what the Local Enterprise Partnership and One Swindon partners can do most effectively to help those employees in finding new employment or re-training.”

The Motion was put to the vote and unanimously carried.

2. Recommendations

Cabinet is recommended to:

- 2.1 Note the actions taken by the Leader of the Council, the Members of parliament for Swindon North and Swindon South, One Swindon partners and the Local Enterprise Partnership to support employees of Honda and its supply chain companies affected by the redundancies.
- 2.2 Request that the Cabinet Member for Regeneration and Culture advise the Council of the position at its next scheduled meeting.

3. Detail

- 3.1 The Leader of the Council has worked with the Members of Parliament (MPs) for Swindon to help make Ministers aware of the implications of the redundancies amongst Honda staff and employees of supply chain companies.

Further information on the subject of this report can be obtained from Paddy Bradley, Head of Commissioning: Economy & Attainment, 465744, pbradley@swindon.gov.uk.

HONDA TASK FORCE – SUMMARY OF SUPPORT TO HONDA

Cabinet

Date: 20 March 2013

- 3.2 The two MPs have met government ministers to ensure they are aware of the economic challenges in Swindon. They continue to explore all opportunities for inward investment and to get the message across that Honda UK is still a very important employer in the town, and that Swindon generally is very much “open for business”.
- 3.3 The Leader of the Council has written to the two Swindon MPs to seek support for the workers and their families affected by the redundancies. The MPs held a meeting with the Minister of State for Employment at the Department of Work & Pensions immediately after the announcement about the job cuts at Honda and the Minister of State at the Department of Business Innovation & Skills regarding transferability of jobs within the automotive industry and a potential Regional Growth Fund fourth round bid. Both the Leader of the Council and the MPs see the Swindon & Wiltshire City Deal as a key route to economic growth and have held meetings with the Parliamentary Under-Secretary of State at the Department for Education and the Financial Secretary to the Treasury, who also happens to be the Minister for Cities.
- 3.4 The One Swindon Board has made a call to action amongst its members and in response, the Clinical Commissioning Group, Swindon Borough Council and Job Centre Plus are developing proposals for a programme to link employees made redundant in Swindon, including those from Honda and its supply chain companies, with skills development and employment opportunities within the One Swindon partner organisations.
- 3.5 The One Swindon programme is seen as part of the whole Swindon response to the Honda and supply chain company redundancies. This response is co-ordinated through the Honda Task Force. The membership of the Task Force demonstrates a Swindon-wide response with key involvement from One Swindon partners, central government departments and the sub-regional interest of the Local Enterprise Partnership.
- 3.6 The Task Force Board is chaired by Forward Swindon and comprises two senior managers from Honda, the MPs for Swindon South and Swindon North, Swindon Borough Council (the Cabinet Member for Regeneration and Culture and relevant officers), the trade union Unite, the Department for Work and Pensions (DWP), the Department for Business Innovation and Skills, the Skills Funding Agency, GWE Business West and the Swindon and Wiltshire Local Enterprise Partnership.
- 3.7 The Task Force is resourced by DWP through two seconded staff from Job Centre Plus working out of Forward Swindon’s offices.
- 3.8 In scope are all Honda employees and all supply chain employees, regardless of geography in UK and regardless of permanent, fixed term or agency status.

Further information on the subject of this report can be obtained from Paddy Bradley, Head of Commissioning: Economy & Attainment, 465744, pbradley@swindon.gov.uk.

HONDA TASK FORCE – SUMMARY OF SUPPORT TO HONDA

Cabinet

Date: 20 March 2013

3.9 There are estimated to be five supply chain workers for every direct manufacturing position at Honda. The potential losses could add significantly to the Job Seekers Allowance Claimant Count for Swindon, currently standing at circa 4000.

3.10 The needs identified so far are:

Need	Funder/ Provider	Comment
Understanding your skills	National Careers Service	Each individual can have up to 3x1 hour 121 sessions with an adviser. This is delivered initially on site at Honda.
Changing career	National Careers Service	
Advice on training	National Careers Service	A major strand of work is the accreditation of existing skills. Swindon College is working through the Honda training provision in order to grant externally recognised qualifications, which will increase the transferability of affected staff.
Writing CVs	Job Centre Plus/Pinnacle	
Finding and applying for jobs	Job Centre Plus/Pinnacle	Over 60 companies have responded to our request to notify us of vacancies relevant to Honda staff. We have these listed on a sheet being handed to affected staff. We will run a jobs fair. Honda currently considering whether this will be on site; if not, we will run it at STEAM.
Interview techniques	Job Centre Plus/Pinnacle	
Starting a business	GWE Business West/YKTO	
Dealing with change	Samaritans	
Money advice	Money Advice Service/ HMRC	

3.11 All redundant (currently voluntary) employees are offered face to face meetings with an adviser from National Careers Service (NCS). As well as their own core

Further information on the subject of this report can be obtained from Paddy Bradley, Head of Commissioning: Economy & Attainment, 465744, pbradley@swindon.gov.uk.

HONDA TASK FORCE – SUMMARY OF SUPPORT TO HONDA

Cabinet

Date: 20 March 2013

offer, NCS acts to signpost employees to the other providers on an individual needs basis.

3.12 We are working with Honda to understand the practicalities of creating a new section on Honda's intranet site. This would provide a map of the need areas and solutions, as well as a database of job vacancies.

3.13 Aside from the response to the redundancies, Forward Swindon and Swindon Borough Council continue to work with Honda in a range of ways to help secure future developments.

3.13.1 Pre-planning advice to assist in the development of a bio-mass energy plant on site to secure significant energy supplies.

3.13.2 Working to bring supply chain companies closer to the Honda site.

3.13.3 Developing plans to enable Honda to gain a third access to the site off the A420.

3.13.4 Aiding the planning application process by generating a Local Development Order to minimise the bureaucracy associated with Honda's frequent planning applications.

3.14 Challenges

3.14.1 Supply chain – currently, the Task Force has not managed to engage to the level desired with supply chain businesses. There have been announcements of job losses in the supply chain; for example, SDC has announced 350 losses. We are working on this issue via the Task Force Board. The Swindon MPs have written to Honda supply chain companies encouraging them to use the support provided by the Honda Task Force.

3.14.2 One additional resource has been requested to assist with tracking the individuals and measuring the success of the Task Force. The Department of Business Innovation and Skills intends to supply this.

3.14.3 The first volunteers signed their agreements and went on garden leave on Monday 25 February, so we are pursuing decisions on a number of issues urgently.

4. **Alternative Options**

4.1 This report describes actions taken by a range of partners. Swindon Borough Council could chose not to participate in this partnership.

Further information on the subject of this report can be obtained from Paddy Bradley, Head of Commissioning: Economy & Attainment, 465744, pbradley@swindon.gov.uk.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 Support is being provided through resources identified within existing budgets or by external partners.

Legal and Human Rights Implications

- 5.2 There are no legal or human rights implications in this report

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 There are no other implications.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.4 The report links to the One Swindon priority "We can all benefit from a growing economy and a better town centre" and the Strategic Objective, "Right skills, right jobs in the right place".

Diversity Impact Assessment

- 5.5 A diversity impact assessment was prepared for the Economic Strategy, under which policy this work sits.

Risk Management

- 5.6 There is a risk to the external image of Swindon and a consequent difficulty in attracting new investment.

6. Consultees

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 None

9. Key Decision/Decision in Forward Plan

- 9.1 This is not a Key Decision and is included in the Cabinet Forward Plan for March 2013.

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Use of Bailiffs

Cabinet

Date: 20th March 2013

Author: Cabinet Member for Finance
Head of Revenue and Benefits
Wards: All
Locality Affected: All
Parishes Affected: All

1. Purpose and Reasons

1.1 This report outlines the occasions when bailiffs are employed in the collection of Council debts and how their use is monitored.

1.2 The report is a response to the motion approved by Council on 8th November 2012 (Council Minute 63, 2012/13 refers):

“This Council recognises the need to collect promptly and efficiently Council tax and other payments and recognises that bailiffs may be used for the recovery of monies owed. This Council however wishes to ensure that any bailiff acting on behalf of the Council operates in a way that is fair and lawful, particularly having regard to the Council’s function as a Public Authority, including due regard to any of its functions under the Equality Act 2010 and Human Rights Act 1998.

This Council therefore requests that the Cabinet Member for Finance prepare a report to Cabinet outlining the circumstances in which bailiffs may be used and the measures that are being taken to ensure that bailiffs are acting appropriately and lawfully.”

2. Recommendations

Cabinet is recommended to:

2.1 Note the contents of the report and that the number of complaints about bailiffs represents half of one per cent of the total number of debts referred to bailiff companies.

2.2 Request that the Cabinet Member for Finance advise the Council of the position at its next scheduled meeting.

3. Detail

Occasions When Bailiffs are employed

3.1 Bailiffs are employed in the collection and recovery of Council Tax, Business Rates and Car Parking Penalty Charge notices, in accordance with the appropriate national regulations and the Council’s Debt Management Policy,

Further information on the subject of this report can be obtained from Andy Stevens, (01793) 464661, anstevens@swindon.gov.uk.

Use of Bailiffs

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which was first agreed at the Council's Cabinet meeting on 5th October 2005 (Cabinet Minute 51, 2005/6 refers).

- 3.2 An annual review on Debt Management is made to the Cabinet each year. The Policy states that prior to referring debts to Bailiffs a series of letters are sent to customers in order to obtain payment or invite contact from the customer. This includes initial invoices and reminder notices, which are issued prior to the issue of summonses to appear at either the Magistrates or County Courts. After the court hearings statutory notices are issued that warn customers that failure to make payment, make an agreed arrangement or provide financial information (including employment details) will result in a referral to bailiffs.

The following numbers of debts have been referred to bailiffs:

	2010/11	2011/12
Council Tax debts	7,699	5,200
Business Rates debts	231	271
Car Parking Penalty Charge Notices	2,480	1,988

- 3.3 The following debts have been collected by bailiffs on behalf of the Council. The amounts shown do not include bailiff fees, which are charged and paid by the debtor and retained by the bailiff:

	2010/11	2011/12
Council Tax debts	£1,495,497	£1,215,779
Business Rates debts	£251,774	£244,037
Car Parking Penalty Charge Notices	£81,500	£70,500

Bailiff Code of Conduct & Regulations

- 3.4 The Council has a Bailiff Code of Conduct, which all the Bailiff companies employed are asked to comply with. A copy of this code of conduct is shown in Appendix 1.
- 3.5 All the bailiff companies employed are either members of the Association of Certified Bailiffs and the Association of Civil Enforcement. Both associations have guidelines under which their members operate.

Further information on the subject of this report can be obtained from Andy Stevens, (01793) 464661, anstevens@swindon.gov.uk.

Use of Bailiffs

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Date: 20th March 2013

- 3.6 Each individual bailiff has to receive registration from the Courts. In order to do so a person has to prove they are a fit and proper person to hold a certificate and possess sufficient knowledge of the law of distress. An application fee and a bond are payable to the court. Certificates last for 2 years. If a complaint is made through the courts, a bailiff may lose their certification.
- 3.7 Bailiffs are asked to stop any action where they find that the customer may be vulnerable. Under the Bailiff Code of Conduct examples of Vulnerable customers include:
- The debtor is fragile, due to advanced age,
 - The debtor is mentally or physically disabled, and severe social deprivation is evident,
 - The debtor has long term sickness or serious illness,
 - The debtor has experienced a recent bereavement,
 - The debtor or debtor's partner is in last few weeks of pregnancy, or
 - The debtor has communication difficulties due to profound deafness, blindness or language difficulties.
- 3.8 Bailiff fees are charged to the debtor in accordance with national regulations and Ministry of Justice guidelines for Car Parking Penalty Charge Notices. The amounts charged for Council Tax are £24.50 for a first visit, £18.00 for a second visit and then "reasonable fees or costs" are charged for attendance with a van, and any fees for securing goods (distress) are charged in accordance with a statutory scale.

Monitoring of Bailiffs

- 3.9 Any complaints received about the actions of bailiffs are registered under the Council's complaints system. The Bailiff companies are asked to respond and justify the actions of the bailiff to the Customer and the Council. The number of complaints made since 2010 are shown below:

	2010/11	2011/12
Council Tax Complaints - Bailiffs	32	29
Car Parking Complaints- Bailiffs	6	11

- 3.10 If the Council or the Council's partner is not satisfied with the response given by the bailiff company, then further information may be requested or a request to pay the customer compensation may be made.
- 3.11 The Council has online access to the bailiff companies' records in order that information regarding bailiff visits is available immediately.
-

Further information on the subject of this report can be obtained from Andy Stevens, (01793) 464661, anstevens@swindon.gov.uk.

Use of Bailiffs

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Date: 20th March 2013

- 3.12 Regular meetings are held with the bailiff companies. Car Parking meet the two bailiff companies they employ quarterly, and Revenues meet the three bailiff companies they use every 3-6 months. At these meetings collection performance, vulnerable debtors, recent complaints and best practice are discussed.

Maintaining Collection & Reducing the Number of Debts referred to Bailiffs

- 3.13 The aims of both the Revenues and Car Parking Teams are to improve collection rates and both try and do so without referring debts to bailiffs. In order to do so additional assistance has been provided to customers, such as the introduction of 'text reminders' for Council Tax, which provides additional reminders before court action is undertaken. This has seen a reduction in the number of cases taken to court, a reduction in court costs charged to residents and a reduction in cases referred to the bailiff companies.
- 3.14 From April 2013, following the changes to Council Tax Benefits, over 6,000 residents will be paying Council Tax or increased Council Tax. These residents are in receipt of low incomes and so additional assistance is being provided. The option to pay over 12 monthly instalments instead of 10 is being promoted and budgeting advice sessions, which are being run in Penhill, Parks and at the Civic Offices, are also being offered. Customers are being encouraged to pay without the need for recovery action to be undertaken.

Future Legislation on Bailiffs

- 3.15 The Ministry of Justice are in the process of issuing new regulations regarding Bailiffs. These regulations will include additional training and competency tests for individual bailiffs and there will be a new fee structure, with more fixed fees.

4. Alternative Options

- 4.1 None offered the report is for information only.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The use of bailiffs results in the collection of approximately £1.5 million of income for the Council, which without their employment may not be collected.

Legal and Human Rights Implications

- 5.2 Legislation is complied with in the use of bailiffs and the bailiffs have to comply with regulations.

Use of Bailiffs

Cabinet

Date: 20th March 2013

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

5.3 None.

Links to One Swindon, Strategic Objectives, Plans and Policies

5.4 The collection of the Council's income assists in the Council's strategic objective of making the best use of Swindon's resources.

Diversity Impact Assessment

5.5 The Bailiff Code of Conduct outlines that bailiff action should not be undertaken against the most 'vulnerable' and lists some examples where recovery action is not to be undertaken. The Council is under a statutory obligation to recover local Taxes and in order to do so is obliged to attempt bailiff proceedings. A DIA of the Revenues service was carried out in December 2011.

Risk Management

5.6 The collection of Council Debts and bailiff complaints are monitored monthly.

6. Consultees

6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

7.1 None

8. Appendices

8.1 Bailiff Code of Conduct

9. Key Decision/Decision in Forward Plan

9.1 This is not a Key Decision and is included in the Cabinet Forward Plan for March 2013.

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Swindon Borough Council CODE OF CONDUCT FOR ALL BAILIFFS

This code of practice applies to any provider of bailiff services to Swindon Borough Council and must be complied with at all times in the enforcement of Council Tax and Non-Domestic Rates.

A copy of this code of practice will be available at the Principal Offices of the service provider and a copy will be available for inspection at the Civic Offices, Wat Tyler House, Swindon.

For the purposes of this code of practice, the terms below shall have the following meaning:

SBC	Swindon Borough Council
Council's Contractor	Capita
Service Provider	a company providing bailiff services to the Council or the Council's Contractor
Debtor	the person(s) or company named in the Liability Order
Supervising Officer	a Council Tax or Revenues Manager of the Council's Contractor
Bailiff	a Certificated Bailiff employed by the service provider
Principal	a Director or Partner of the service provider

Part I

The service provider will at all times fully comply with following terms and conditions set out in this part and failure to adhere to them will result in a breach of this code of practice. The Council's Contractor and the service provider will be required to sign and retain a copy of this code of practice to show that both parties fully accept their responsibilities with regard to it's operation and integrity.

Swindon Borough Council or the Council's Contractor will treat any breach of the terms and conditions as a serious matter and may immediately review the position of the service provider as a result.

Terms and Conditions of the Code Of Practice

1. All bailiffs involved with the levy of distress and removal of goods shall hold a current bailiff certificate issued by the County court. The service provider shall provide documentary proof of certification of any bailiff upon request from the Council or the Council's Contractor.
2. The service provider, will ensure that all employees, contractors and agents act in accordance with current legislation and that they have sufficient knowledge and understanding of all relevant legislation, case law and powers. Where necessary, adequate training is to be undertaken.
3. The service provider will maintain an acceptable standard of dress among employees, contractors and agents consistent with the provision of a professional service.
4. The service provider will ensure that all employees, contractors and agents are aware that they represent SBC/Council's Contractor and act in a responsible and courteous manner and in the interests of SBC/Council's Contractor at all times.
5. The Council's Contractor & the Council will provide the name(s) of a Supervising Officer(s) to the service provider who will liaise with the Principal and shall be responsible for the operation of this code of practice and for resolving any complaints from the debtor.
6. The service provider must maintain an internal complaints procedure which is overseen by a senior member of staff. Where

requested to do so by SBC/Council's Contractor, a full report is to be provided by the bailiff and, where appropriate, the Principal to allow a full and proper investigation into any complaint received from a debtor.

7. The service provider will inform the Supervising Officer(s) of cases which are felt inappropriate for distraint action and in all cases where:
 - the debtor is fragile, due to advanced age
 - the debtor is mentally or physically disabled, and severe social deprivation is evident
 - the debtor has long term sickness or serious illness
 - the debtor has experienced a recent bereavement
 - the debtor or debtor's partner is in last few weeks of pregnancy
 - the debtor has communication difficulties due to profound deafness, blindness or language difficulties
8. The Supervising Officer(s) will instruct the service provider of what action to take in the cases listed above. This list is not an exhaustive list and SBC/Council's Contractor reserve the right to take any action deemed appropriate depending on the nature and details of the case.
9. Where the bailiff is unable to execute a Liability Order, the service provider will report the reason(s) why the distraint has not been effected, together with all relevant information and on cases which remain outstanding with a reason for why the account has not been paid. The content and frequency of all returned Liability Orders and supporting detailed reports are to be forwarded to the Council's Contractor fortnightly in format agreed by SBC/Council's Contractor.
10. The service provider will provide monthly statistics at the end of each calendar month, in format agreed by SBC/Council's Contractor.

11. The service provider will undertake to process all Liability Orders within 3 months from the date of receipt unless SBC/Council's Contractor agree to extend this period.
12. The service provider will make available to SBC/Council's Contractor all correspondence and any supporting documentation relating to debtors upon request within 2 working days.
13. The service provider will answer all correspondence from debtors within 10 working days of receipt wherever possible.
14. All information and data coming into the possession of the service provider will be treated in the strictest confidence and in accordance with the relevant Data Protection and Freedom of Information Acts.
15. The service provider will properly account for all monies and return all withdrawn and unsuccessful cases fortnightly . A separate Client Account and suspense account will be set up for SBC and maintained at all times and all monies collected on behalf of SBC will be paid to SBC fortnightly. The auditors of SBC/Council's Contractor must be allowed reasonable access to to these accounts.
16. The service provider will hold sufficient professional indemnity insurance to cover any act or omission of it's employees, contractors and agents and will ensure that such insurance is up to date at all times. A copy of the most up to date insurance documents must be provided to SBC/Council's Contractor.
17. The service provider will ensure that it's employees do not misrepresent their powers, qualifications, capacity, experience or ability and that their bailiff's carry authorisation from SBC/Council's Contractor when acting for them.
18. The service provider will declare all associated interests of other companies, firms, associations and groups.

Part II

Guidelines for Bailiffs Employed by the Service Provider

Any bailiff employed by the service provider will be made aware of the guidelines set out in this part and will strictly adhere to them whilst acting for SBC/Council's Contractor:

1. The bailiff will not enter the debtors premises if it appears that the only people present are under the age of 18. If the debtor is present, the bailiff will explain to the debtor the reason for the visit.
2. If the debtor is not present at the time of the call, the bailiff will take into account all relevant circumstances before deciding whether to levy distress.
3. The bailiff will at all times carry full photographic identification and produce such when asked by the debtor to do so or to any other person who has reason to require it.
4. The bailiff will adopt a firm but correct approach with the debtor and will remain polite with the public at all times.
5. The bailiff will report any threats or matters of concern to a Supervising Officer who may be contacted during normal working hours.
6. The bailiff will attempt to levy distress at the earliest possible time and may attempt levy distress between the hours of 6am and 9pm. Where distress is levied, the debtor should be invited to sign a walking possession agreement. If the debtor refuses to sign, make payment or defaults on payment, the goods (with the authorisation of the Supervising Officer) should be removed at the earliest opportunity.
7. The bailiff must not distrain if payment of the appropriate amount is tendered.
8. The debtor must be immediately given an acknowledgement of payment or an official receipt for all payments made in person. Where payment is made by post or left at the office which is

closed, an official receipt must be sent within 3 working days where a prepaid self addressed envelope accompanies the payment.

9. SBC/Council's Contractor will make the bailiff aware of any case where it is known that the debtor is potentially violent or likely to cause a breach of the peace.
10. Where the bailiff agrees an arrangement with the debtor, the arrangement should not normally exceed 6 months. In exceptional circumstances, the Supervising Officer may agree to an arrangement over 12 months.
11. The bailiff may distrain on the debtors goods wherever they are found in England and Wales subject to authority from SBC/Council's Contractor.
12. The bailiff will ensure that where legally forced entry to premises is necessary, the damage is to be kept to a minimum and that the premises are secure before departure.
13. The bailiff will not distrain on goods specifically precluded from distraint within the Council Tax, Non Domestic Rate or other relevant regulations or legislation. The Supervising Officer of the Council's Contractor should be consulted if there is any doubt whether an item is precluded.
14. The Council's Contractor will provide the bailiff with the Liability Order or other authority. In all cases, the appropriate documentation as required by the regulations will be left at the premises or given to the debtor. In addition, the service provider may be required to give to the debtor or leave at the premises general information deemed appropriate by the Council's Contractor. Where additional documentation is required to be given to the debtor or left at the premises, this will be provided by the Council's Contractor.
15. The bailiff may remove goods in person or directly supervise a contractor if required. Due care must be taken to avoid unnecessary damage and the goods are to be stored safely pending their collection by the debtor on payment, or sale. Every effort must be taken to ensure that **only** the goods of the person(s) named in the Liability Order are distrained upon.

16. Goods in the possession of the bailiff or service provider are to be covered by adequate insurance. Any action brought against the service provider for recovery of goods in their possession must be brought to the immediate attention of the Supervising Officer.
17. The bailiff must give to the debtor (if present) or leave in a prominent place an inventory listing each of the goods removed.
18. The bailiff will make a minimum of two unsuccessful visits to the debtors address before the case is referred back to the Council's Contractor. The second visit may only take place on the same day if the bailiff has reason to believe that the debtor will be resident. Otherwise, the second visit must take place on a different day preferably at a different time of the day.
19. Where no contact has been made following the visit(s), at least one visit must be made to the debtors address outside of normal office hours before referring the case back to the Council's Contractor.
20. Every effort must be made to contact the debtor prior to referring the Liability Order back to the Council's Contractor as unsuccessful including making enquiries at neighbouring property or premises of the debtor. All relevant information including employment or other financial details pertaining to the debtor must be fully documented and reported with each Order returned.

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Recording and Broadcasting Full Council Meetings Motion at Council

Cabinet

Date: 20th March 2013

Author: Cabinet Member for Strategic Planning and Sustainability
Chief Executive, Director of Law and Democratic Services

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 At the meeting of Full Council held on 20th December 2012, the following amended motion was agreed (Minute 82 of the Council refers):

“This Council supports the continued development of a more open, transparent and accountable politics and press. This Council notes that:

- Full Council in April 2011 passed a motion requesting the Chief Executive provides a report to Cabinet on the feasibility of recording and broadcasting Council Meetings via the Council's web site.

- The Labour party request for videoing of Full Council Meetings to commence from the 2013 Annual Council Meeting

- This Council requests that a Cabinet report is published within three months investigating the cost and feasibility of fulfilling this request.”

- 1.2 This report sets out an analysis of a range of options available to the Council to record and broadcast Full Council meetings. The options range from a completely free option to options with a more significant cost to the Council, involving hosting webcasts on the Council's website, to even more comprehensive packages in the region of £100,000.

2. Recommendations

Cabinet is recommended to:

- 2.1 Note the contents of the report, and advise the Chief Executive of the options, if any, it would wish to see the officers investigate further.
- 2.2 Note that the cost of recording and broadcasting Full Council meetings with the market leading solution used by 70 other local authorities would be over £1000 per meeting.
- 2.3 Note that the Council has never refused a request by the media or a resident to record a meeting, and,

Further information on the subject of this report can be obtained from Iain Tucker, Direct Dial (01793) 463605, itucker@swindon.gov.uk.

Recording and Broadcasting Full Council Meetings Motion at Council

Cabinet

Date: 20th March 2013

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- 2.4 Requests that the Director of Law & Democratic Services works with the Corporate Governance Working Party on a presumption in favour of recording meetings by residents, and residents who do record meetings have the same access to the Full Council Chamber as the media,.
 - 2.5 Requests that the Head of Communications includes social media engagement by Councillors and residents during Full Council meetings as part of the new Digital Strategy
 - 2.6 Advise the Council of the contents of this report and the Cabinet's decision.

3. Detail

Background

- 3.1 The Council at its meeting on 20th December 2012 requested that the Chief Executive produce a report for the Cabinet that investigated (a) the feasibility of recording and broadcasting Council Meetings via the Council's web site and (b) videoing of Full Council Meetings to commence from the 2013 Annual Council Meeting. This Motion was a follow up to a similar Motion considered by the Council in April 2011 (Minute 136, of the Council 2011/12 refers).
- 3.2 The report takes into account views arising when the motion was debated at the Council meeting, which highlighted that this report should identify a range of possibilities and highlight the likely different costs that would apply depending on the option to be pursued.
- 3.3 Research for this report was undertaken by way of review of published sources of information about the recording and broadcasting of local authority meetings, discussions with colleagues in other relevant local authorities, meetings with commercial providers of systems enabling the broadcasting / webcasting of meetings, local community radio and TV providers, relevant Council officers, and Councillors who have expressed an interest in the recording and broadcasting of meetings.
- 3.4 It should be noted that no preferred option is put forward at this stage and the majority of the costs highlighted are general estimates and the view of likely costs provided by the organisations involved. Any preferred option would need to be the subject to a more detailed investigation and report before the Council reached a decision to proceed.
- 3.5 There is currently no budget provision to meet any of the financial costs associated with the introduction of the options outlined in the report. No amendment was proposed to at the Council's Budget setting meeting on 21st February 2013 that might have provided funding for this work.

Further information on the subject of this report can be obtained from Iain Tucker, Direct Dial (01793) 463605, itucker@swindon.gov.uk.

Recording and Broadcasting Full Council Meetings Motion at Council

Cabinet

Date: 20th March 2013

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- 3.6 All the options outlined in this report involve staff costs to some degree. These could be significant in those options that require one or more members of staff to attend Council meetings.

Webcasting / Broadcasting of Video

- 3.7 Many professional broadcasting / webcasting systems have been developed to be simple and robust enough for the Council to operate itself.
- 3.8 The majority of councils that “webcast” meetings use an outside provider to “host” their broadcasting. Public-I is the market leader, with over 70 local authorities and similar organisations using their services.
- 3.9 The remote hosting of the broadcasting service would remove much of the need for a council to use its own ICT resources (and associated costs). However, it is clear that it would be important to establish a clear specification of the Council’s exact requirements before entering into such an arrangement.
- 3.10 In particular it is vital that ownership of the contractual arrangements is determined. Where a council utilises an outside party to provide a service, the council must be able to ensure that a value for money assessment is undertaken before entering into a contractual arrangement.
- 3.11 There are a number of options available to the Council, some professional utilising “webcasting” technology, some using volunteers or Council staff and less sophisticated recording methods. These are set out in the report,

Who Watches Webcasts?

- 3.12 A recent research report evaluating webcasting estimated that viewers spend on average 9 minutes at a time viewing. This may correlate with the typical length of a single item on an agenda and supports the belief that users of the service “tune in” only when there is an item being discussed that interests them. Very rarely would a viewer watch the whole webcast.
- 3.13 To enable a viewer to tune in for a particular item, so called “chapter points” would need to be inserted during the webcast so that viewers may find an item of interest. The options supplied by Media on Demand (Option 10) and Public-i (Option 11) support this feature. This would also necessitate a member of staff inserting the chapter points at Council meetings as debates progressed and items were concluded.

Who is watched on a Webcast?

- 3.14 If the public are to be recorded, for example in asking a public question or presenting a petition, then a balance has to be found between the open and

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transparent nature of the recording of a public council meeting and legitimate privacy issues of the individual.

- 3.15 If this option was to be pursued of recording all proceedings of a meeting then the Council would need, in addition to whichever option it wished to pursue, to give consideration to producing a “Charter” or “Protocol”. Such a document would set out clearly the process of recording, the process for handling any inflammatory statements, and of individuals’ rights to privacy should they not want to be recorded.
- 3.16 If a recorded video was “edited” before being posted, then the Council would need to establish guidelines on the editing process such as: who would make the decision on what was edited out; would the whole meeting be recorded or just the decisions, and would public questions and / or petitioners’ statements be included.

Considerations for recording/webcasting/streaming of meetings

- 3.17 The current arrangement is that, subject to the agreement of the Council meeting or the Committee concerned, members of the public may record meetings. The Council has, as far as its known, never refused a request to record a meeting. As an alternative to recording its own meetings, the Council could decide to formally allow any recordings by members of the public.

Demand from residents.

- 3.18 There has been one request from a resident to record a meeting in the last 12 months.

Topical Search

- 3.19 Recording of a 3 to 4 hour full council meeting requires a viewer to watch the whole programme to find out what an individual Councillor said on an agenda item.
- 3.20 The ability to search and find out discussions on any topic is only possible through splitting the video into chapters and inclusion of descriptive text or a transcript.

Cost effectiveness

- 3.21 There are on average ten Full Council meetings, so for every £1000 an option is estimated to costs is equivalent to £100 cost per meeting. There a further ten Cabinet meetings and at least as many Scrutiny meetings all of which are part of the Council’s decision making process and which would incur further costs if they were to be webcast.

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- 3.22 London Borough of Redbridge undertook a pilot webcasting project that has subsequently been halted due to resource pressures. The Deputy Leader was quoted in the local media as saying “I would find it hard to knock on doors and say, ‘your services are being cut, but don’t worry, you can watch us cutting these services on Redbridge i’.
 - 3.23 In 2011, Cambridge City Council decided not to film its own meetings; however, Councillors established a “protocol” to allow anyone to record proceedings. The protocol was viewed necessary following a complaint referred to the Independent Complaints Investigator about privacy issues.
 - 3.24 London Borough of Islington was one of only a few Councils that ran its own web streaming service. It ran a pilot project to broadcast meetings of the full Council on the Council’s website for a trial period (January to June 2009) and then continued the service. However, due to financial and service pressures, the Council has ceased the broadcasting of meetings in 2011.

Engagement

- 3.25 The eParticipate Trans-European Network for Democratic Renewal and Engagement published a study in 2005 that found that one of the reasons that the public don’t engage with local politics is that they don’t believe that they will have any effect on the process. They see the Local Authorities as a ‘faceless’ bureaucracy and feel they have little chance of effecting or changing it.
- 3.26 The use of webcasts (broadcasts of video) to address this issue of trust was the main underpinning of the eParticipate project. The study concluded that “the advantages of unedited video over other communication channels are numerous: It enables the viewer to see the source material directly rather than through a filter or an author or editor. This in and of itself has a big impact on trust. It associates the actual actors in the process – usually the politicians with the content. This makes the content more believable and also ‘humanizes’ the process – both outcomes building trust. By identifying the actual actors the individual accountability is increased. It provides an immediacy of communication. Viewers understand that the process is live and happening as they view it rather than being made up post hoc. The transparency of video makes it possible for the public to see the individual actors in the democratic process – perhaps for the first time. This increases their belief in the accountability of the democratic process: The use of webcasting clearly increases the openness and accountability of that process.”.

Social Media

- 3.27 With the developments in social media in recent years, webcasting does not accurately represent up to date thinking on how best to engage with the public.

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Social media, unlike webcasting, is participatory and provides a mechanism for members of the public to participate, for example, this Council's 'Big Conversation'.

- 3.28 This Council has a Twitter feed with 2,641 followers and a Facebook page. These have the likely potential to reach a far wider audience than webcasting of meetings will be able to.
- 3.29 At Christmas 2012, the Council produced a short film to promote recycling and changes to rubbish collections. It was heavily promoted on the front page of the Council's website and also featured on the popular waste and recycling pages. Over 3 weeks it attracted 850 views, which was considered quite successful albeit that the Borough has over 200,000 residents. This was a carefully crafted and produced film with a high topical interest. The film lasted four minutes.
- 3.30 Some Council meetings can last 3 to 4 hours. The number of people who will watch a three-hour Council meeting is likely to be very limited and considerably less than those interested in Christmas waste collection information. Our own research highlighted an annual awards ceremony celebrating the work of police officers that attracted 15 viewers, most of whom were family members who could not attend the ceremony.
- 3.31 It appears likely that whatever the solution Councillors eventually choose they will need to manage their expectations of the amount of viewers that Council meetings could attract and weigh this against the cost of providing the hosted Broadcast / webcast service.
- 3.32 There is also the possibility of a knock-on effect of broadcasting resulting in Council meetings having less members of the public in attendance; instead currently active citizens who attend meetings may choose to stay home and watch the webcast either "live" or at a later date.

Reputational risk

- 3.33 A number of Local Authorities, including Hampshire County Council, Stoke City Council, and Leicester City Council, have been criticized in the local and national press for "wasting taxpayers money" for the costs of their webcasting / broadcasting solutions in relation to the small number of viewers. In one instance, a webcast by Stoke City Council attracted 1 (one) viewer. Other Councils have also been criticized for editing of their webcasts to remove possible defamatory remarks.
- 3.34 Hounslow was the first London Borough to webcast its meetings and has recently taken the decision to stop this as a budget saving measure. The annual cost was in the region of £50,000 per year, which covered extra staff costs to operate the equipment at and post the meetings as well as the extra training costs for when

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there were technical / software updates or new staff but excluded the initial set up costs.

- 3.35 LB Hounslow has indicated that there was no evidence of any significant backlash from the public or media for removing the service. The Council found that most viewers were officers, councillors or family members of the same and there was no increase in attendance at meetings

Other Council approaches

- 3.36 Cornwall Unitary and Epping Forest District Councils provide good examples of the standard that can be achieved. Cornwall's webcasting is hosted by Public-I. Their archive of meetings may be viewed at: <http://www.cornwall.public-i.tv/core/>. Each of the webcasts has chapter points inserted for each item on the agenda and for when Councillors speak.
- 3.37 Coventry City Council was also quoted as a good example of what could be provided. This Council recently undertook a review of the second year of their project. They noted that viewing figures had dropped considerably since the first year. The authority decided to consult the public on continuing the provision. They have advised us that they had 194 responses, 54 of which were Councillors or Council officers. Only 26% of respondents had viewed a webcast. Their webcast pages received 3,974 "hits" during the period March 2011- October 2012. The average length of a visit was 3 minutes 17 seconds which they advise probably means that few watched the available archived webcasts.
- 3.38 Plymouth Council have recently begun webcasting (2012) and believe it is working well. They have set aside a budget of £20,000 per annum to support this and use external "hosting".
- 3.39 Basingstoke and Waverley councils record and post their own streaming.

Alternative approaches

Transcription

- 3.40 Mysociety.org is running a pilot project asking for volunteers to transcribe Council meetings broadcast by way of councils using voice recognition software. Mysociety itself does not offer a transcription service, nor does it produce voice recognition software. Instead it offers a way of publishing the completed transcripts to the web.
- 3.41 Thought is also being given to the "live" broadcast of transcribed proceedings using voice recognition software.

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- 3.42 To pursue a similar approach in Swindon “hardware” to record the audio and appropriate voice recognition software would need to be acquired. If an appropriate volunteer could be found to offer the transcription service the output from the voice recognition software would need to be checked against the recording for the accuracy of the words used / transcribed. Accurate transcription could prove to be a very time-intensive process given the length of many Council meetings and could well run to many hundreds of pages of transcripts. “Live” transcription would be dependent on the accuracy of the voice recognition software used and its ability to adjust to different accents and background noise etc.. The Council should have little problem in publishing transcripts to its own website using existing software. Live transcription would present similar issues as those highlighted elsewhere in the report relating to webcasting by way of the Website.

However, it must remain clear that the transcripts do not take the place of the Council’s Minutes, which are the formal record of decisions agreed.

Comments of the Head of Communications and Insight.

- 3.43 It needs to be emphasised that in all of the options there will be a resource impact on the council in relation to officer time (aside from the costs of the technical solution) of which there is currently no spare capacity.

Comments of the Head of Information Technology and Strategy.

- 3.44 Although the possibility of hosting an archive of webcasts / broadcasts on the Council’s own servers is mentioned in a number of the options set out above, the Head of Information Technology and Strategy highlights issues to be taken into account when considering this solution.
- 3.45 Although it is tempting to think of hosting any recordings of meetings on the Council’s own servers as being “free” the reality is that there would certainly be a cost involved. The work would be undertaken by Capita who under its contract would charge the Council for this service. The Council would have to build a dedicated site to host the archive. Depending on how many concurrent users tried to watch the recordings it has the potential to disrupt mission critical Council services. A separate data line may be needed would could prove cost-prohibitive.

Recording of meetings by the media

- 3.46 The Council constitution sets out the rules around recording of meetings by the media, and requires a two-thirds majority of members to vote on refusing any request. “ Audio and visual recordings of a meeting of the Council, the Cabinet, Committees and other Council bodies by a recognised media organisations shall normally be permitted following receipt of a request by the Mayor or Chair of the meeting. The Mayor or Chair of the meeting shall advise members that the

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meeting is being recorded. A request to record a meeting shall only be refused if the Mayor or Chair of the meeting believes recording would disrupt the meeting and following a motion to refuse a recording request being passed by a two-thirds majority of those members present and voting at the meeting.”

What is Available – The Options

Option 1A – Cost £FREE

- 3.47 A suggestion arising out of the research for the report was that Councillors could record portions of the meeting on their iPads or similar devices and upload the resulting video to an appropriate free public hosting service.
- 3.48 Whilst this is feasible it should be remembered that iPads and similar devices do not have an optical-zoom, and any video could look amateurish and not of a standard appropriate for the formal public representation of the Council.

Option 1B- Cost £FREE

- 3.49 The Council could enable local residents to record proceedings on their own equipment and upload the resulting video to an appropriate free public hosting service.
- 3.50 The Council could seek a willing member of the public to volunteer to attend all required meetings and to record proceedings on their own equipment and upload the resulting video to an appropriate free public hosting service.
- 3.51 This would have the advantage of being a provision at no cost to the Council. The disadvantage would be the Council would have no or little real editorial control over the recording or on the quality of the material uploaded. There would also be difficulties in ensuring that a “volunteer” or volunteers would be able or willing to attend all the meetings that the Council wished to have recorded and broadcast. This could result in a negative view from local residents wishing to be certain that they would be able to observe all relevant meetings they wished to view. Research has also indicted that it is believed that more than one camera or devise would be required to adequately record proceedings in the Borough Council’s Council Chamber.
- 3.52 Part of a recent Council meeting was recorded by a single video camera from the public gallery by a member of public who it is understood hired the equipment at his own expense. The resulting video is fairly clear, and offers a good picture of the Mayor and Cabinet, albeit it with no zoom-in function. The sound quality is patchy, and depending on the Councillor speaking can be hard to hear. The coverage of non-Cabinet Councillors is poor, and highlights the need for at least two cameras to cover the whole of the Council Chamber. The video contains

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some closed captions identifying who is speaking, but does not include chapter points to allow a member of the public to go straight to an item.

Option 2 – Cost £1,000 +

- 3.53 The Council could buy a portable digital camera and require a member of staff to attend and record Council meetings. The resulting video could then be hosted on the Council's website and/or uploaded to a free public hosting service.
- 3.54 All organisations and system providers contacted for this report recommended that at least two cameras should be used to adequately cover all of the Borough's Council Chamber. If the Council bought two digital cameras then in reality it is likely that three members of staff would be required to be involved in the process and to attend Council meetings; one for each camera, and the third to decide which camera is 'live' and is used for the video, insert chapter marks etc.
- 3.55 Should this option be pursued then appropriate training would be needed for this and adequate resources be provided. It should be noted that uploading a three or four hour Council meeting to a public hosting service, if an appropriate one could be found, would be a very time-intensive process for the person involved. Alternatively, the Council could host the resulting video on its own website. Staffing and training costs have been excluded from this estimate.

Option 3 – Swindon 105.5 Radio Station: Cost: £800-£1,000 Start up and £6,000 per year

- 3.56 Swindon 105.5 is a local community driven volunteer radio station. The organisation indicated that it could live stream and record an audio only recording of Council meetings. This option would utilize the existing microphone system in the Council Chamber. A representative from Swindon 105.5 would attend each Council meeting to set up equipment and monitor the live stream and recording. A 'listen-again' archive could be kept on either the Council's or Swindon 105.5's website
- 3.57 Swindon 105.5 has close ties to Swindon TV. It indicated that once the audio only option was successfully running there may be an option for video (visual) as well utilising their contacts. There was no indication provided on the "Video" cost.

Options 4 & 5 – Swindon Create Studios

- 3.58 Swindon Create Studios is an award-winning digital media organisation which delivers digital arts productions. It is currently part of the Borough Council and has worked closely with other departments, schools and community organizations to provide media solutions. Create Studios has suggested the following two options:

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Option 4 – Swindon Create Studios; Cost £9,484.49 per year or £5,984.49 (without tape archiving)

- 3.59 To record and livestream with two HDV cameras (with operators) and using the output of the microphone system already present in the Council Chamber. Back-ups would be made with tapes in the cameras which would then be edited together and archived on the Council's website.

Option 5 – Swindon Create Studios: Cost £4,084.49 per year (dependant on testing)

- 3.60 This option utilizes the technology already in the Council Chamber. Using the standard definition cameras to input into a mixer and then output the audio to a laptop which could then stream the webcast live. A representative from Create Studios would attend each meeting to monitor and manage the live feed. The manual controls for the cameras would need to be moved out of the supply room at the rear of the Chamber at an additional cost to the Council.

Options 6, 7, 8 and 9 – Swindon Viewpoint: Cost: See each option

- 3.61 Swindon Viewpoint is a volunteer run Internet television 'channel' for Swindon. It is Britain's first and longest running public-access television service, and is notable for being owned by the public. Swindon Viewpoint has suggested the following four possible options to the Council:

Option 6, Basic. Cost First Year: £750 On-going: £250 per year

- 3.62 Install basic digital camera as an addition to existing equipment. Train a member of the Council's staff to attend each meeting required and record to a "solid state" device, compress the file and transfer to Swindon Viewpoint, who would upload the video publishing on its front page at www.swindonviewpoint.com. This option excludes the Council's cost in relation to the attendance of an additional member of staff at all required meetings and the access to the software required to compress and transfer the relevant recording.

Option 7, Intermediate. Cost First Year £5,750 On-going: £2,750 per year

- 3.63 Install digital camera and three monitors to upgrade existing equipment. Swindon Viewpoint staff would attend each meeting and control cameras for accurate framing and close ups. Swindon Viewpoint would undertake post-production of the "programme" (without removing actual content) to 'top and tail' add titles and remove any 'dead space' and insert "chapter points".
- 3.64 Programme would then be published on a dedicated SBC channel of www.swindonviewpoint.com. Programmes would be archived on Swindon Viewpoint.

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Option 8, Live streaming and ancillary programming. Cost First Year: UNKNOWN but circa £66,500. On-going: £47,500 per year

- 3.65 The Council would fund a full time employee of Swindon Viewpoint to act as a "Public Service TV Co-ordinator" who would record each meeting supported by up to three other camera operators working on a per diem basis. Meetings would be recorded in high definition, visually mixed and simultaneously live webcast. A follow-up programme would be transmitted with a designated Member in studio taking questions sent in by the public. The Public Service TV Co-ordinator would make other public service programmes during the year as designated by the Council.

Option 9, as option 3 but with full marketing and promotion budget, Cost First Year: UNKNOWN but circa £96,500. On-going: £71,500 per year

- 3.66 With options 9 and 10 above, Swindon Viewpoint would work with the Council to identify all existing resources and avenues that can be deployed and tender the lowest cost.

Option 10 – Media on Demand (Webcasting Provider) Cost:

A: £16, 230 in the first year (4 cameras) and £6,300 each additional year.

Training: (typical) £1,450

B: £11,440 in the first year (2 cameras) and £5,300 each additional year

Training (typical): £1,450

- 3.67 Media On Demand offer a flexible webcasting solution, designed to be used by non-technical staff and includes the ability to view webcasts live, and/or pre-recorded.
- 3.68 It includes a microsite which enables the Council to put relevant information both from internal and external sources alongside webcasts. Documents associated with the event can be attached. These include plans, images, agendas, minutes and presentations.
- 3.69 The pricing is based on a 12 month hosting period for any individual webcast and includes live streaming of up to 500 concurrent streams and unlimited availability of on-demand content.
- 3.70 This solution integrates with Modern.gov agenda publishing software (which the Council uses) to ensure maintaining links to committee documentation and presentation material.
- 3.71 This Option includes -
- 3.72 Purchase of Four (or two, dependant on cost) cameras and includes camera follow allowing the cameras to be controlled by the microphone system

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- 3.73 Broadcast Control Unit hardware and software for producing live and on-demand webcasts
- 3.74 A User Microsite as the web interface for the target audience.
- 3.75 An Administrators Microsite for the management of the web streaming content.
- 3.76 Hosting on Media On Demand's own Content Delivery Network.
- 3.77 Support services to include training, production, maintenance and consulting.
- 3.78 Five hours per month hosting.
- 3.79 The cost for this option does not include cabling for cameras and integration with any existing audio system which would require a separate company to install.
- 3.80 A member of staff would be required to attend Council meetings to control the cameras for optimum results and to upload the video feed. This cost is excluded from the estimate provided by the company.

Option: 11 - Public-I (Webcasting Provider) Cost: for 3 year contracts: (with all equipment being leased)

Contract Type	Total Cost	Year 1	Year 2	Year 3
Connect with Public-i Cameras	£35,814	£14,383	£10,715	£10,715
Connect without Public-i Cameras	£31,855	£12,793	£9,531	£9,531
Connect Social with Public-i Cameras	£50,754	£20,383	£15,185	£15,185
Connect Social without Public-i Cameras	£46,795	£18,793	£14,001	£14,001

- 3.81 Public-I are the market leaders in webcasting Council meetings, with over 70 local authorities and similar organisations using their services.
- 3.82 They have recently undergone a revised site layout and video player design which works across multiple devices such as mobiles, tablet and browsers,
- 3.83 Their latest offering places as much emphasis on social media tools as it does on straightforward webcasting. It has the ability for Councillors to create their own on-line profiles which will link to whenever they speak at Council meetings, and the topic they spoke on. It can also link to their Twitter feed if they have one.
- 3.84 This makes it really simple for members of the public to identify, monitor and interact with Councillors and find out what they're really saying and doing on key local issues. It will provide an accurate record for Members of what they actually said on an issue by indexing their contribution in every webcast archived.

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- 3.85 “Connect” offers as an option a Live Chat and a Twitter stream alongside each other. The live Chat during webcasts provides a live help facility for anyone watching the webcast as well as a live backchannel for discussion of the issues being raised. The Live Chat is moderated, and would require a member of Council staff to be allocated to monitor to ensure that only comments which are relevant to the webcast are published. The cost of this element is excluded from the company’s estimate. Relevant Twitter posts can also be published and archived with the chat, so the mood of both those participating in the webcast as well as those watching is archived along with the webcast.
- 3.86 This solution integrates with Modern.gov agenda publishing software (which the Council uses) to ensure maintaining links to committee documentation and presentation material.
- 3.87 There is also the ability to set up an internet forum which members of the public could register to join and ask questions of the Council. Members of staff would be needed to moderate this.
- 3.88 A “Share” feature appears at the bottom of every page to encourage members of the public to promote the webcast, and an embed facility allows the public to embed the webcast directly on other sites.
- 3.89 Their premium product “ConnectSocial” allows local authorities to require members of the public to register an account and log in, and provides the ability for the Council to erect a “paywall”.
- 3.90 The cost for this option does not include cabling for cameras and integration with existing audio system which would require a separate company to install.
- 3.91 A member of staff would be required to attend Council meetings to control the cameras for optimum results and to upload the video feed. This cost is again excluded from the estimate provided,

Summary

- 3.92 Each option detailed in the report reflects a different price point and a slightly different way of achieving the same objective.
- 3.93 The cheapest option is likely to involve the Council editing and posting its own webcast using local video footage. There is the danger that this would look amateurish, not reflect well on the reputation of the Council and still requires the time of an officer to be taken into account.
- 3.94 The most expensive would result in a high production value product with links to other forms of social media but at some cost to the Council.

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- 3.95 There would be potentially “hidden costs” relating to all the options through the requirement for in-house expertise; increased IT and web capacity as well as additional expenditure for equipment (e.g. cameras and an encoder), and other IT licenses.

4. Alternative Options

- 4.1 Alternative options are set out in the report.
- 4.2 The Council could decide to have a live Twitter feed from Council meetings, which, except for costs associated with Officer time would be completely free.
- 4.3 The Council could seek to use its consultation mechanisms to seek the public’s view on whether they would see the recoding and broadcasting of Council meetings either “live” or in a recorded form as a good idea, compared to the costs involved.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There is currently no budget provision to meet any of the financial costs associated with the introduction of the options outlined in the report. No amendment was proposed to at the Council’s Budget setting meeting on 21st February 2013 that might have provided funding for this work.
- 5.2 All the options outlined in the report involve staff costs to some degree. These could be significant in those options that require one or more members of staff to attend Council meetings.
- 5.3 The costings in this report should be viewed only as estimates provided by the organisations concerned. Preferred options would need to be more thoroughly investigated prior to the Council making any final decision.
- 5.4 No testing of existing equipment has been carried out. A number of the companies offered to do this, however they would have charged the Council for this service and this was not felt appropriate until the views of Members on the options available was obtained.
- 5.5 Variable factors affecting broadcasting using the Council’s Website such as IT, bandwidth used, the number of concurrent users and the number of hours hosted could significantly affect the final costs for the Council and this could only be assessed once a preferred option or options for further investigation have been identified.

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- 5.6 In addition to this, and, particularly in the current financial climate, an important corporate consideration is the cost associated with implementing and operating a system versus the perceived level of use/interest from residents of the Borough.
- 5.7 If an option was adopted utilising cameras operated by a Swindon Borough Council employee(s). Staff (and costs) would need to be identified and allowance made for training costs and for that training to be maintained to reflect system developments. The staffing involvement is required under most of the options put forward. Allowance would also need to be given to the availability of additional adequately trained staff to provide cover in the event of sickness or other absence,
- 5.8 All of the options outlined in the report require some degree of officer (and in many cases Capita staff) time. This is not reflected in any of the costs identified to date.
- 5.9 The use of an external supplier to provide hosting and broadcasting facilities is common practice within many of the councils offering the service. These specialist providers will help negate the need to involve internal IT resources in the operation of broadcasting meetings. However, it will be necessary for IT Services to be involved in the formation of any new system, to ensure the provision of appropriate networking capacity and integration with the Council's website, and where practical with Modern.Gov, the Council's software for publishing its agendas and minutes on-line.
- 5.10 If Cabinet identifies a preferred option and agrees to implement this it would be advisable that this be done on a pilot basis in order that a review can be undertaken after a period of one year.
- 5.11 The costs referred to in this report are for recording and broadcasting (via the internet / webcasting) Full Council meetings in the Council Chamber only. There is a set amount of hours that would be hosted in a number of the options. Including the Planning Committee, for example (which also meets in the Council Chamber) would mean an increase in the number of hours hosted and therefore an increase in cost. It was not within the scope of this report to look at webcasting from Committee Rooms One to Six, however, as a rough benchmark, Media On Demand (Option 10) have indicated that a portable system of cameras which could be used in Committee Room Six (subject to being able to successfully integrate with the existing microphone system) would be in the region of £11,440 in the first year and £5,300 every year after. Committee Rooms One to Five would also need an audio system which would further increase the cost."

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Legal and Human Rights Implications

- 5.12 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with convention rights.
- 5.13 There is no legal restriction in relation to webcasting meetings, although where a resolution is passed excluding the press and public because there is to be consideration of exempt or confidential information, this part of the meeting should not be webcast.
- 5.14 In order to ensure that the Council remains compliant with its obligations under the Data Protection Act 1998 and the Human Rights Act 1998 it would be prudent to agree a protocol to ensure members of the public attending such meetings are aware that the meeting is to be filmed. The protocol should also address the situation where meetings are determining an individual's application and where individuals making representations in such matters have concerns about being filmed. The Council's data protection policies and procedures may need amending to reflect this.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.15 Depending on which options are undertaken, there will be staffing implications for those attending Council meetings.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.16 No specific links have been identified.

Diversity Impact Assessment

- 5.17 A Diversity Impact Assessment has not been completed for this report at this stage as the report sets out a number of diverse options without any certainty of which might be pursued. A Diversity Impact Assessment may be required at a later stage of the process.
- 5.18 However, it is recognised that broadcasting /webcasting of proceedings, in particular, will have potential impacts on age, disability and gender grounds. Further work and consultation with relevant groups and organisations to look at the issues surrounding this option(s) in more detail will need to be undertaken.
- 5.19 Older people do not access the web as readily as younger residents do, and therefore broadcasting utilising the Council's website will not improve accessibility for them. Similarly elderly residents have a greater fear of crime and may not attend evening meetings for this reason. Webcasting / broadcasting will

Further information on the subject of this report can be obtained from Iain Tucker, Direct Dial (01793) 463605, itucker@swindon.gov.uk.

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not improve this situation. In terms of gender, males access the web more than females and therefore webcasting would have a greater impact on males than females. In terms of disability, webcasting / broadcasting could positively impact on residents with a physical disability, who if wishing to attend a Council meeting will have the opportunity to watch (or listen to) the meeting from home. We are unable to estimate the numbers this would affect. However, for residents with a sensory or learning disability in the same situation, webcasting / broadcasting will not make a difference to them.

- 5.20 If introduced, to fully comply with equalities legislation the Council would need to think about producing a transcript of the meeting if the webcasts / broadcasts were archived, or including closed caption content with the live stream. Though technically feasible this is a time consuming and expensive feature which could possibly be offered on demand only.

Risk Management

- 5.21 This will mostly be reputational, For example, as with any broadcast of a live event, there are inherent risks involved. Depending on the option chosen the Council may not be able to edit a video before it is streamed live over the Internet, or to retain the public's trust in the integrity of the video. It may also be difficult to ensure that individuals will not be able to subsequently inappropriately edit the archive. This risk would be mitigated if the Council controlled the recording, editing and hosting of the material. The Council will have no control if an individual or the media takes a portion of a webcast and uses it for their own purposes.

6. Consultees

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None.

8. Appendices

- 8.1 None.

9. Key Decision/Decision in Forward Plan

- 9.1 This is not a Key Decision and is included in the Cabinet Work Programme / Forward Plan for March 2012.

Further information on the subject of this report can be obtained from Iain Tucker, Direct Dial (01793) 463605, itucker@swindon.gov.uk.

Motion at Council – Housing Market Support

Cabinet

Date: 20th March 2013

Author:	Cabinet Member for One Swindon, Localities and Housing and Cabinet Member for Finance Head of Commissioning, Economy and Attainment
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

1.1 Council resolved on 20th September, 2012 that:

“This Council recognises the need to assist individuals and families to secure appropriate accommodation. This Council requests that the Cabinet Member for Finance, the Cabinet Member for One Swindon, Localities and Housing and the Board Director for Finance, Revenues, Benefits and Property produce a report summarising the key issues and options for addressing those issues. It should include how the Council can use its current property portfolio to establish a joint-venture vehicle with a developer, which establishes housing developments that would orientate towards long term private sector tenancies (10 years+), with inflation linked rent reviews. This Council requests that Cabinet consider a conference in light of any issues raised by the report.” (Council Minute 49, 21012/13 refers.)

1.2 This report seeks agreement on strategic housing initiatives that respond to the concerns raised in this motion

2. Recommendations

Cabinet is recommended to:

2.1 To note the summary of the key issues around families securing appropriate accommodation, as requested by Council.

2.2 Authorise the Board Director, Commissioning to develop an overarching housing strategy, which will encompass social housing, intermediate and private market housing and include a refined approach to the challenge of vulnerable people facing homelessness. The draft strategy is to be brought back to Cabinet at the earliest opportunity in 2013.

2.3 Note that a conference to address the issues contained within this report will form part of the consultation and evidence gathering stage of the Housing Strategy formulation process.

2.4 Authorise the Cabinet Member for One Swindon, Localities and Housing to investigate:

Further information on the subject of this report can be obtained from Alan Wylde, Direct Dial Telephone Number (01793) 464356, awylde@swindon.gov.uk.

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- 2.4.1 How the Local Authority Mortgage Scheme could be applied to the Swindon housing market as part of a package of measures in line with the housing strategy, and
- 2.4.2 In consultation with a Lead Member Advisory Group if he considers appropriate, the use of specific Council land assets to deliver new housing including affordable rented homes and a private rented sector offer on terms broadly aligned with those set out in the detail of this report.
- 2.5 Request that the Cabinet Member for One Swindon, Localities and Housing advise the Council at its next scheduled meeting of the progress being made in response to this Motion.

3. Detail

Background

- 3.1 Housing tenure can be broken down into three broad groups, comprising owner occupation, social rented housing, and private rented housing. The most popular tenure is owner occupation, comprising 67.5% of the Swindon housing stock. It is also the tenure that most households aspire to with 81% of British adults hoping to be home owners within a decade (Council of Mortgage Lenders, 2012). Since 2008 access to the mortgage market has been severely restricted, reducing access to home ownership. The Strategic Housing Market Assessment reports that a household needs an income in excess of £31,214 to access home ownership, compared to an average salary of £26,260. Whilst Swindon is one of the more affordable locations in the south of England with a house price to income affordability ratio of 6.4:1 (compared to a regional average of 8.1:1) this still exceeds the long term national trend rate of 4:1.
- 3.2 The average property price in Swindon is currently £169,210 but there is significant variety between flats at £105,755 and detached homes at £273,155. There have been different recoveries experienced by these property types as flats are at an average of 20% below their peak values of 2008 whilst semi-detached and detached homes have recovered to their peak values or just below.
- 3.3 These figures result in 35% of first time buyers being unable to access a lower quartile flat taking standard mortgage multipliers of 3 times annual income. These figures rise to 55% and 64% respectively for terraced and semi-detached homes. The average age of unassisted first time buyers is currently 33, up from 30 in 2005. A noticeable change is the proportion of all sales to unassisted first time buyers which has declined from 66% of all sales in the south west in 2005 to 30% as of 2011 (*Council of Mortgage Lenders*).
- 3.4 Since 2001, the number of households living in private sector rented accommodation in Swindon has more than doubled from 6,637 to 14,137 (as per the 2011 census) and, for the first time since the post war social housing

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construction boom, private sector tenants outnumber social housing tenants. This local trend is reflected nationally as owner occupation has dropped from a peak of 70.9% in 2003 to 64.2% in the latest census release (the same level as it was in 1988) whilst renting has increased from 8.8% to 16.8%. Whilst the typical view of the private rented sector is that it offers flexible homes for young and mobile workers, the latest figures demonstrate that a third of private renting households are families with children and that nearly half of households are over 35 (*DCLG English Housing Survey 2010-11*).

- 3.5 These changes have taken place over the past five years and has been ascribed by many commentators to economic circumstances at a national level. It has been argued that a combination of high house prices, the reduction in availability of mortgage finance, and the low availability of social housing has reduced access to home ownership and caused an increase in private renters, and reluctant landlords (*Shelter – A better deal? Towards more stable private renting, 2012*).
- 3.6 The Rugg Review of the private rented sector published in 2008 identified a number of niche markets within the private rented sector. Many households are there through choice, for example, young professionals enjoy the flexibility the tenure offers along with the benefits of occupation without the responsibilities and costs of ownership. However, recent national surveys have indicated that there is significant dissatisfaction with the current state of renting in the private sector with concerns around security of tenure, rising rents and variable standards of management and maintenance. It is reported that 2/3 of tenants want longer tenancies, 4/5 tenants would like rent increases capped and 2/3 want the freedom to decorate and improve their property. Less than half of tenants respond that it is a good tenure to be in and private renters are twice as likely to struggle to pay their housing costs compared to any other tenure. Most tenants with children report dissatisfaction with the lack of security, for example they can be required to leave at any point with just 2 months' notice. This can have a negative effect on their children's schooling (*figures from YouGov survey in Dec 2011*).
- 3.7 There are significant structural obstacles to landlords being able to do more in these areas. 78% of private sector landlords have only one property which accounts for 40% of the stock. This means that letting agents will play a significant role in decisions taken around private lettings and their incentives are important as a driver for decisions taken around the length of tenancies. Furthermore, most buy to let mortgages do not permit tenancies longer than 12 months.
- 3.8 Landlords express concerns about high turnover of tenants, the state properties are left in and the perceived difficulties in taking legal action to recover their properties when tenants refuse to leave. Investment choices are driven by yield rates, and in the UK the yield rate in private sector rented market often needs

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rising capital values as well as rental return to justify the landlord's investment, meaning that tenancies are sometimes perceived as a meanwhile use. With regard to turnover, 33% of private tenants move each year as opposed to just 3% of owner occupiers. This leads to high moving expenses for tenants, reducing their ability to save for a deposit to buy a home, as well as creating void works and loss of rent for owners. The conclusion of Shelter's work on the future of the private rented sector is that there are shared benefits for both landlords and tenants in providing longer tenancies.

- 3.9 When surveyed on the prospect of long-term tenancies, private sector landlords have expressed concerns in two main areas according to data gathered by Jones Lang Laselle in 2012. Firstly, there is the concern that they will be ill equipped to navigate the legal processes necessary in order to repossess their property should their tenants fail to pay the rent, cause damage or commit anti-social behaviour in the property. The assured shorthold tenancy has a mechanism to avoid this through its two month no fault notice clause available at the expiry of the fixed term. Secondly, landlords were also concerned on the effect this could have on their ability to liquidate their asset should the property market change.
- 3.10 The Strategic Housing Market Assessment identifies 14,848 social housing properties in Swindon, or 17% of the total. However, there are 15,000 households on the waiting list, a figure that grows constantly at a rate faster than social housing supply. Albeit, nearly 8,000 are not defined as being in need of housing at this moment. Even so, with less than 700 new lettings per year, and 375 households per month joining the list it is clear that demand will not be met in the current circumstances.
- 3.11 As of April 2012, the Council has control of its council housing rental income enabling it to plan effectively for the long term management of these assets including the option of developing new stock. It has taken on debt of £138.6m in addition to the existing £1.8m, in order to do this and now has the freedom to develop new stock to support the business and to provide additional choice for those seeking accommodation within Swindon where it can be demonstrated that the additional debt can be repaid by future rental income.

Proposals

- 3.12 There are actions that the Borough can take in order to improve accessibility to housing for new and existing Swindon residents. Broadly speaking this means:
- 3.12.1 Assisting households to secure appropriate accommodation,
 - 3.12.2 Developing more Council owned housing for rent, and/or
 - 3.12.3 Developing a strategy for a whole market approach to housing.

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Assisting households to secure appropriate accommodation

- 3.13 As noted above, the private rented market in the UK is, on the whole, a large collection of small scale enterprises. There are no notable large scale institutions offering a private rental service across the country unlike the private rented sector in countries such as Germany and France where renting is seen as a long term option for families and is backed by a legislative framework that supports such a choice. In the UK, the Montague Review was established to explore methods of increasing institutional investment into the private rented sector through build to let. Montague's recommendations included allowing private rented homes to replace some of the affordable housing offer on larger sites, developing voluntary standards for lettings to encourage tenants to view living in the private rented sector as a positive choice and using public sector land to pilot such approaches.
- 3.14 Swindon Borough Council has been in discussion with housing association partners for some time concerning the potential of developing homes specifically for the private rented market. Furthermore, the Council's own land holdings around the town, including Wichelstowe, offer the possibility of undertaking a pilot project for an enhanced private rented offer aimed at working households, and based on the principles of good quality homes, long term tenancies, predictable rent rises allied with a reliable and high quality maintenance and management service.
- 3.15 Such an approach using Council land holdings offers the opportunity of establishing an innovative mechanism of enabling tenants to build up an equity stake in the homes whereby for each full year as a tenant, they would receive a 0.5% equity stake in the home if that home had risen in value by more than 1% over the same period (as measured by a standard approach such as the Nationwide House Price Index) with bonus equity awarded if the tenancy lasts as long as 5 and/or 10 years. Such a stake could be applied as a right to buy on the home concerned as a method of enabling families into home ownership. Clearly such an approach needs to be tested for financial viability at a scheme level for a build and management model, but could be a powerful incentive for potential tenants.
- 3.16 This equity stake proposal is a reflection of a powerful driver in the UK housing market around home ownership as outlined above. However, it is currently unclear whether, when and how people will achieve their home ownership goal.
- 3.17 Current constraints on the availability of mortgage finance are a particular problem for first time buyers, especially those without a substantial deposit even though their income is more than sufficient to afford the required mortgage. This is typically a problem for those who can afford the repayments of a 95% mortgage but are required to find a 20% deposit which is over £30,000 for an average Swindon dwelling. Some 90% mortgages are now available albeit at

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relatively unfavourable rates and higher loan to value ratios can be secured if other family members are willing to act as guarantors. Early reports indicate that the Funding For Lending Scheme appears to be improving matters, but for how long and by how much is not yet known.

- 3.18 The Local Authority Mortgage Scheme (LAMS) allows this gap to be bridged by an indemnity guarantee from Swindon Borough Council so that the first time buyer can obtain a mortgage on more favourable rates. The indemnity guarantee would only be called upon if a loss crystallised for the mortgage lender. It must be stressed that the applicant must meet the standard criteria as set out by the mortgage lender and that the repayments are deemed affordable. The scheme does not therefore offer mortgages to anyone that does not fulfil typical lending criteria but merely helps with the issue of deposits. The indemnity is in place for 5 years plus a potential 2 year extension should the mortgage be in arrears during the final 6 months of the initial 5 year period.
- 3.19 A worked example of this might be a property purchased for £150,000 with a mortgage of £142,500 and a local authority indemnity of £30,000. If that property were sold within 5 years of the initial purchase for £100,000 then the local authority would be liable for the full £30,000 with the lender liable for the other £12,500. If it were sold for £130,000 in the same period the indemnity would need to cover the £12,500 loss.
- 3.20 At present the scheme has been running since March 2011 and has seen 84 local authorities sign up to the scheme with 44 currently operational. There have been over 1200 mortgages approved as of the end of December 2012 worth £125m and there have been no repossessions or mortgage defaults.
- 3.21 It is proposed that officers initially work up a set of proposals with detailed risk management concerning an amount of £1m obtained from borrowing for future Cabinet consideration as part of a package of measures that will emerge from the housing strategy. It is estimated that such a total would support in the region of 30 first time buyers, although of course there is likely to be a chain behind these buyers therefore supporting a wider number of house moves. Appendix 1 contains more comprehensive information around the proposal.
- 3.22 The growth of the Private Rented Sector as a component of housing supply in Swindon is certain to continue and requires some input to ensure that the sector provides a good quality and sustainable housing option for Swindon households. This work can be delivered alongside the Empty Homes work, which contributes to income for the Borough by bringing homes back into use which qualify for the New Homes Bonus by an amount in excess of £8,000 for each home returned to use. It will involve working with landlords and letting agents to promote longer term tenancies and enabling private sector tenants' voices to be heard.

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- 3.23 Alongside this Commissioning are working with community groups to develop more urban community self-build options to assist Swindon residents to develop their own housing. Community self-build includes options such as people building their own homes, or community groups coming together to develop their own bespoke housing. This gives the opportunity to diversify Swindon's housing stock.

Developing more council owned housing to rent

- 3.24 The self-financing settlement for the Housing Revenue Account (HRA) presents some opportunity for new build and regeneration projects. However, this needs to be balanced with the need to invest in the council housing stock and meet the Decent Homes Standard whilst managing a debt portfolio of approximately £145m as of April 2013. The HRA Business Plan will be updated in parallel with the Housing Strategy in order that opportunities to deliver additional affordable housing can be maximised.
- 3.25 It is proposed that a development team is established to take forward this potential arising from the HRA Business Plan, such a team to be established and the timetable for its formation and work schedule constructed in the light of future availability of HCA resources for the development of affordable housing, regeneration delivery, availability of Council owned development land and the return of empty homes to use. This is likely to require that the Council has established a successful delivery mechanism for new affordable homes by late 2014/2015 which is the earliest estimates of a new large scale funding round for affordable housing provision.
- 3.26 The specific skills to deliver new affordable homes around affordable housing design, residential construction management, and HCA process management are not currently held within the Council and capacity of the housing development function will need to be expanded to deliver the ambition arising from the Housing Strategy and the HRA Business Plan. It is proposed that the Commissioning team establish an approach that procures those skills over the short term with an objective of securing a transfer of knowledge into the organisation for future years. There are clear synergies between the work required to deliver new build housing for the social housing waiting list and the private rented offer discussed above and this should be explored further before final procurement decisions are taken. Furthermore, proposals around a possible joint venture vehicle at Wichelstowe should also be explored.

Developing a strategy for a whole market approach to housing

- 3.27 It is proposed that the Council will produce a new Housing Strategy in 2013 that includes these and other initiatives that will address the challenges Swindon faces with regard to the role the housing market will play in its local economy and the housing needs of its residents. This will be in conjunction with a future

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Tenancy Strategy that will outline how to best use the existing stock to both meet housing needs and contribute towards economic activity in Swindon.

- 3.28 The motion requests a conference be organised to address the issues contained within this report. It is intended that such a conference would form part of the consultation and evidence gathering stage of the Housing Strategy process.

4. Alternative Options

- 4.1 To not implement a new Housing Strategy for the town leading to little co-ordination between the management of the Council's £0.5b housing asset and the strategic objectives for the Borough as contained within OneSwindon
- 4.2 To make limited or no interventions in the local private rented housing market and rely on affordable housing provision to assist those unable to meet their needs in the market. It is likely that there will be a sizeable cohort of families in this position who are unlikely to have sufficient need to be housed in affordable housing.
- 4.3 Not to take part in the Local Authority Mortgage Scheme and allow first time buyers to secure the best deal they can on the open mortgage market.
- 4.4 Not to establish a development team for new Council housing and regeneration and fail to generate the benefits of local construction jobs, local area regeneration and supporting the business plan for the HRA.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 As the schemes requiring financial commitment from the Council will be subject to future Cabinet reports there are no immediate financial implications to this Any future reports on a private rent scheme on Council land will need to take into account the nature of the organisational structure put in place to deliver and manage the homes examining potential partnerships and joint ventures. The same issues will need to be examined for the development team for new build housing within the Housing Revenue Account. It is possible that some of this work can combined.

Legal and Human Rights Implications

- 5.2 Legal and Human Rights implications have been taken into account in the drafting of this report. It is considered that the report and its recommendations are compatible with Convention Rights.

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All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 Any work arising from this and future reports will need to be resourced either from existing staffing resources or resources generated by the projects themselves. There are no other immediate impacts.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.4 These initiatives are directly linked to the One Swindon objective of 'I like where I live' and directly supports the local economy as reflected in 'we can all benefit from a growing economy and better town centre'. A Housing Strategy for Swindon will be produced later in 2013 providing an overarching framework for these initiatives.

Diversity Impact Assessment

- 5.5 A Diversity Impact Assessment has been completed and does not identify any adverse impacts of adopting this approach.

Risk Management

- 5.6 The future Cabinet reports will need to address risk in great detail as both the building of homes for private rent, council housing in the HRA and involvement in the LAMS scheme will require a resource commitment from the Council.

6. Consultees

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 – Local Authority Mortgage Scheme

9. Key Decision/Decision in Forward Plan

- 9.1 This not a Key Decision and is included in the Cabinet Work Programme / Forward Plan for March 2013.

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Local Authority Mortgage Scheme

1. Background

The turmoil in the financial and banking market has had a severe impact on both the local economy and on local housing. The slightly weaker trend observed since March 2012 is unsurprising, given the continuing difficulties with the economic backdrop, with the economy dipping back into recession at the start of the year. Economic conditions are expected to remain challenging over the next twelve months.

The Council of Mortgage Lenders (CML) reported in July 2012 that broadly speaking, the housing market continues to echo the subdued tone of the wider economy. Mortgage lending has experienced something of a see-saw pattern over recent months, largely reflecting the short-term spike and subsequent trough in house purchase activity associated with the ending of the stamp duty concession for first-time buyers in late March. According to the Bank of England, seasonally adjusted gross lending was a little below the six-month average, and is consistent with a gentle downwards drift since the turn of the year.

Despite all the economic and financial difficulties, 81% of British adults hope to be home-owners in ten years' time, and 74% aspire to it within two years, according to a new YouGov research article published by the Council of Mortgage Lenders. Aspirations are much higher than current home-ownership levels among those aged under 35, but it is far from clear whether and how people will achieve their home-ownership goal. Notably, most of those who are renting privately or sharing with family or friends are under 35, and more than half of these (54%) would like to become home-owners over the short term. However, only a third (33%) of those who hope to be home-owners in two years time actually expect it to happen.

Nationwide reported in June 2012 that the price of a typical house fell by 0.6% in June 2012 and prices are 1.5% lower than a year ago, the lowest reading since August 2009. Part of the weakness is associated with the ending of the stamp duty holiday in March which provided a temporary boost in early 2012 as buyers brought forward purchases that would have otherwise taken place later in the year. Overall this suggests a continuation of the pattern experienced over the past two years, with prices remaining fairly stable over the next twelve months.

Lloyds Banking Group reported in June 2012 that UK house price growth was broadly stable in the first half of the year. House prices in the three months to June were 0.3% lower than in the previous three months and 0.5% lower than in the same period a year earlier and house prices continue to fluctuate on a monthly basis with an even number of falls and rises over the past year. Despite falling back in April and May, sales remain slightly higher than a year

Appendix 1

ago. Lloyds expects little change in prices and sales over the remainder of the year provided that the UK's economic outlook does not deteriorate significantly.

There is still considerable concern about some areas of the housing market, particularly the low percentage of first time buyers. The Council of Mortgage Lenders (CML) reported in February 2012 that the housing and mortgage market sentiment had improved a little. This was sustained with an increase in lending to first time buyers to the end of March as the housing market was temporarily boosted by the relief for first time buyers from stamp duty however this was followed by a significant, but expected, fall in lending to first time buyers in April as reported by the CML in June 2012. It remains to be seen if there will be an improving and sustainable trend going forwards as any improvement is comparatively recent and from a low base.

Current constraints are a particular problem for first-time buyers, especially those unable to provide a substantial deposit. While mortgage insurance, shared ownership, and product innovation can all potentially play a part, none will provide a “magic bullet” to normalise the mortgage market for first-time buyers. This is likely to be a gradual process as confidence in funding markets and lending decisions is restored in the light of a more stable market environment. The preference for low loan to value mortgages is therefore expected to continue to restrict first time buyers in the current financial environment.

As a result of the recession and the adverse affect on the local economy and the housing market, a number of Local Authorities are trying to take a proactive approach in supporting the local area, and also to address pressing issues in increasing the supply of affordable housing.

2 Current situation

Most mortgage lenders are typically prepared to lend a maximum of 75% - 80% loan to value (LTV), even if the applicant can afford a 95% mortgage. This means the applicant requires a substantial deposit, e.g. a first time buyer purchasing a property valued at £150,000 would have to provide a deposit in the region of £30,000. Many potential first time home-buyers do not have the funds needed for the deposit.

As a result of the current economic environment, uncertainty in the housing market and the difficulties in obtaining an affordable mortgage, many potential home-buyers may remain in social / affordable housing units, thereby reducing the availability of social / affordable housing for those who may have a greater need. Increasing the supply of affordable / social housing is a key corporate priority for most Local Authorities.

To address the shortage in supply of affordable housing to those who need it, and to help the housing market and the local economy in general, a number of Local Authorities have considered issuing mortgages to potential home-buyers. However, Local Authorities have limited financial resources available for this purpose, and they also have limited staffing resources and expertise in this area to manage their own mortgages. There are also considerable operational risks attached to entering into this area of residential mortgage activity.

Rather than entering into the residential mortgage market themselves, Local Authorities have therefore explored the possibility of entering into a partnership with residential mortgage lenders, with the remit of minimising the financial impact on the Local Authority, and at the same time taking advantage of the expertise already available from existing mortgage providers.

In September 2009, Sector Treasury Services set up a pilot scheme to assess the viability of a new Local Authority Mortgage Scheme (LAMS), including the legal and accounting issues surrounding a financial indemnity of this nature. 11 Local Authorities initially sponsored the pilot scheme.

The remit of the pilot scheme included initial discussions with a range of residential mortgage lenders, with a view to securing options for funding the scheme. Initial discussions with potential funders / partners revealed that due to the high level of set up costs, funders would only be interested in a large national scheme rather than separate arrangements with individual Local Authorities. It was also considered appropriate to discuss the proposed scheme with the Council of Mortgage Lenders (CML). Early discussion with the CML secured support for a standard national scheme.

Following the successful completion of the pilot scheme, this report outlines the scheme where the Local Authority can provide targeted help to potential home-buyers to enable them to obtain a mortgage. The scheme is a private sector initiative, i.e. not linked to the Right to Buy Mortgage scheme previously provided by Local Authorities.

3. The Local Authority Mortgage Scheme (LAMS)

The scheme is aimed at first time buyers, providing help for potential buyers who can afford mortgage payments - but not the initial deposit – to get on to the property ladder. Under the scheme, each Local Authority will be able to specify three qualifying criteria; the maximum level of indemnity, the maximum loan size (based on 95% of maximum property valuation) and the qualifying post codes. The scheme is standardised as much as possible.

If a potential buyer meets the strict credit criteria applied by the lender, and meets the criteria set out by the Local Authority to qualify for a mortgage under the scheme, the Local Authority will provide a top-up indemnity to the

value of the difference between the typical LTV (i.e. 75%) and a 95% LTV mortgage. The potential buyer will thereby obtain a 95% mortgage on similar terms as a 75% mortgage, but without the need to provide the substantial deposit usually required.

It should be stressed that the scheme does not promote reckless lending, it is essential that the applicant meets the standard lending criteria as set out by the lender, and that the higher LTV mortgage is affordable.

The indemnity will be in place for a fixed 5 year period for each mortgage granted under the scheme, which may be extended for a further 2 years if a mortgage were in arrears in the last 6 months of the initial 5 year period.

The indemnity would only be called upon if a loss is crystallised by the lender. By way of example, a property valued at £150,000, with a mortgage of £142,500 and with Local Authority indemnity of £30,000 is sold at £100,000, net of attributable costs. The full value of the £30,000 indemnity would be requested by the lender. If the property is sold at £130,000 net of costs, i.e. an actual loss of £12,500 is incurred by the lender, £12,500 would be requested from the Local Authority. Any loss in excess of the value of the indemnity would be attributable to the lender. The lender would request payment from the Local Authority, who would undertake to make payment within 30 days.

The table below shows potential number of first time buyers the scheme may initially assist based on £1m advance, assuming a purchase price of £150,000.

Total Local Authority Indemnity	£1,000,000
Assumed Property value	£150,000
5% Deposit	£7,500
95% Mortgage	£142,500
Local Authority Indemnity	£30,000
Potential number of mortgages	33

It is anticipated that the Local Authority will set a maximum limit for indemnities offered in total. The indemnity could be either unfunded or “cash-backed”, depending on the requirements of the lender.

If the indemnity is un-funded or 'non-cash backed', the Local Authority will receive a premium of a fixed amount per mortgage completion, typically in the region of £500 per mortgage.

If the indemnity is 'cash backed', i.e. supported by a deposit, the Local Authority will be required to place a 5-year deposit at the start of the scheme to the full value of the indemnity being offered. The deposit will be in place for the term of the indemnity – i.e. 5 years (with the possibility of a further 2 year extension if the mortgage is in arrears at the end of the initial 5 years) - and may have conditions / structures attached. The Local Authority will receive a 5-year commercial deposit rate + a premium. The Local Authority will be required to have a deposit in place with the lender to cover the level of the residual indemnity at the end of the 5 year initial period.

In accordance with the legislation, the lender will not have a legal charge over the deposit. In the event of an indemnity being called and an amount being payable by the Local Authority to the lender, a request for payment would be made by the lender. The Local Authority will undertake to settle the amount payable within 30 days.

For both types of indemnity, and assuming no default by the buyer, the indemnity liability would terminate on the earliest of the end of the agreed indemnity period (i.e. 5 years) or an early repayment of the mortgage. In the case of a cash-backed indemnity, the fixed-term deposit would be repaid to the Local Authority at the date of maturity, plus interest due.

When a Local Authority decides to participate in the LAMS, they should initially agree the criteria required to qualify for the scheme. The local criteria are:

- The maximum limit for the total indemnity to be offered under the scheme;
- The maximum loan size (based on maximum property valuation); and
- The qualifying post codes within the boundary area.

Once these parameters have been set, the mortgage lender should manage the operational side of the scheme without any direct input from the Local Authority. Sector Treasury Services will undertake an annual audit of the scheme to ensure both parties are fully compliant with the agreement.

Due to the changing environment, further legal and / or accounting advice may be required during the life of the LAMS. To ensure consistency, it is anticipated that Sector Treasury Services Ltd will obtain updated advice on behalf of participating authorities.

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