

Scrutiny Committee

Monday, 20 June 2016

Additional Information

AGENDA ITEM 5 - DRAFT CABINET MINUTES – 16TH JUNE 2016

AGENDA ITEM 5 - DRAFT CABINET PANEL ON SCHOOL ORGANISATION
MINUTES – 16TH JUNE 2016

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APPENDIX

**NOTICE OF DRAFT DECISIONS OF THE MEETING OF THE CABINET HELD ON
THURSDAY, 16TH JUNE 2016**

5. Exempt Items - Exclusion of Press and Public

Resolved – That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item No.	Paragraph No.	Minute No.
19	3	19

6. Councillors' Allowances 2017/18 - Recommendations of the Independent Remuneration Panel

Cabinet considered recommendations submitted by the Independent Remuneration Panel on (i) the level of Councillors' Allowances in Swindon for 2017/2018 and future years, and (ii) a proposed amendment to the Councillor's Allowance Scheme for 2016/17 regarding Special Responsibility Allowances associated with the Health and Wellbeing Board. It was noted that whilst the Council was required by the Local Authorities (Members Allowances) (England) Regulations 2003 to consider the recommendations of its Independent Remuneration Panel when making decisions relating to its Scheme of Councillors' Allowances, it was not required to adopt all or any of the Panel's recommendations.

Councillor David Renard, Chair of Cabinet, introduced the report, taking the opportunity to thank Mr Keith Strickland, the chair of the Independent Remuneration Panel, and the Panel members, for their hard work in support of the review and their preparation of the comprehensive recommendations before the Cabinet.

Resolved – (1) That Cabinet notes the thorough and comprehensive review undertaken by the Independent Remuneration Panel, and thanks the Panel Chair and members for their work.

(2) That the recommendations of the Independent Remuneration Panel on Councillors' Allowances for 2017/2018 and future years, as set out in paragraph 3.5 of the report, be referred to the Council.

(3) That the recommendations of the Independent Remuneration Panel on Councillors' Allowances for the 2016/17 year, as set out in paragraph 3.7 of the report, be referred to the Council.

(3) That the Director of Law and Democratic Services be authorised to introduce a revised Councillors' Allowances Scheme for 2016/2017 and 2017/2018 and future years, to be based on the recommendations of the Independent Remuneration Panel, and as approved and adopted by the Council.

The reasons for the decision and alternative options are as set out in the report to the meeting.

7. Medium Term Financial Context and Budget Strategy 2017-18

Councillor Russell Holland, Cabinet Member for Finance and Corporate Services, and the Board Director, Resources, submitted a joint report setting out a strategic context and framing for the direction of travel of the organisation to deliver the Vision for Swindon over the next four years, within the expected financial context. It was noted that this, with the Budget strategy for 2017-18, sought to ensure that the organisation understands the financial context within which it operates and has plans to remain financially stable and underpins the Council's ability to achieve its Vision, strategies, plans and priorities, including the Council Plan elsewhere on this agenda.

Councillor Holland introduced the report, emphasising the unprecedented pressures on the Council, from both an increased demand for services and expected reductions in government income, as summarised in the forecast funding position (Table 1 of the report), and the scale of the challenge facing the Council over the next four years to ensure that the Council was sustainable. He observed that even a Council Tax increase to the capping limit, in addition to the permitted 2% social care increase, would be insufficient to cover the forecast demand for care services.

Councillor David Renard reiterated that the pressure to provide adult social care and children's services meant that these areas could, potentially, consume 80% of the budget by 2020 and was driving the unprecedented pressures and need for organisational transformation referred to by Councillor Holland in his introduction of the report.

Resolved – (1) That the Council's medium term context be noted and it be agreed that the contents of this report be used to engage and consult with residents, stakeholders and service users on the organisation's strategic response.
(2) That the latest version of the Efficiency Statement, showing the financial plan for the next four years to 2020, the final version of which needs to be submitted to the Government in October 2016, be noted.
(3) That the Budget strategy for 2017-18 be agreed.
(4) That the licensing fee structure set out in Appendix One to the report, be approved.

The reasons for the decision and alternative options are as set out in the report to the meeting.

8. Future Direction - Transfer of Services to Parish Councils

Councillor David Renard, the Leader of the Council, Councillor Russell Holland, the Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, Councillor Keith Williams, the Cabinet Member for Streetsmart and Councillor Mary Martin, the Cabinet Member for Communities, the Board Director Resources, and Director of Law and Democratic Services submitted a joint report providing an updates on (i) progress made with the transfer of services to existing parish councils, and (ii) the first stage of the community governance review, and setting out the future direction of travel of the Council's Going Local agenda.

Councillor Renard introduced the report, explaining that it provided an assessment of progress with the Community Governance Review and feedback received to date, and proposed a way forward in relation to future engagement over what a future, democratically-elected borough could look like. He remarked on the different levels of devolution that had already occurred with existing parish Councils and observed that the overwhelming majority of response to Stage One of the Review had come from areas without parishes.

Councillor Mary Martin noted the pressures on the Council's budgets and advised that, in her view, the proposed mechanism of the transfer of services would facilitate the Council in continuing to provide or extend services that might, otherwise, have to be reduced or removed.

Councillor Keith Williams commented on the positive feedback from the pilot areas, noting that a parish council would be able to ensure that its available financial resource was spent only on improvements and services within the particular parish's area.

In response to a question put by Councillor Dale Heenan, the Director of Law and Democratic Services confirmed that the process for conducting a Community Governance Review did not contain a statutory requirement for a referendum and that the Council needed to adhere to the legislation and guidance to avoid the risk of any judicial challenge.

In response to a further question put by Councillor Heenan, the Director of Law and Democratic Services agreed to inform Cabinet of the number of Borough Councillors that had responded to the Stage 1 Community Governance Review consultation.

Councillor Claire Ellis, on behalf of residents of Old Town, advised the meeting of:

- Residents' concern about the lack of information available to reach a conclusion about the introduction of a parish, particularly since most respondents to the CGR had stated their opposition to creating parishes,
- Residents' concern at the lack of any legislative requirement for a referendum and residents' support for a consultative poll, even if councillors still had to make the final decision, and
- Local businesses, concern about the possible extension of the BID area or a request to pay more to support local services.

Councillor Chris Watts referred to views expressed earlier in the debate of this matter, and commented that residents of areas without parishes were equally proud of their local community areas as were residents of parished areas and residents in currently non-parished areas were engaging with the Community Governance Review process. Councillor Watts also referred to a comment at a previous meeting regarding the Labour Group's position on parishing and clarified that any opposition was purely in relation to the adopted review process.

Councillor Renard, with Councillor Brian Ford, responded to a question put by Councillor Jane Milner-Barry about the level of Parish Council feedback to the Streetsmart and Highways Overview and Scrutiny Committee's review of the devolution of streetsmart services pilots.

Resolved – (1) That the following be noted:

- The context and forecast direction of travel for services provided in local communities if no action is taken.
- The findings of the Overview and Scrutiny Committee that examined the success of service transfers to existing parish councils.
- The outcome of the first stage of the Community Governance Review.

(2) That Cabinet agrees that it wishes to enable community empowerment at a local level, to promote community cohesion and allow the devolution of power and responsibility to communities within the Borough, by considering potentially parishing the whole Borough and altering some existing parish boundaries and will, to that end:

- engage with local communities in June and July to address issues raised in the first stage of the Community Governance Review.
- authorise the Director of Law and Democratic Services, in consultation with the Leader of the Council and the Cabinet Member for Communities, to prepare illustrative maps for use during the engagement process.
- agree the revised review timetable set out in the report.
- request the Cabinet Member for Communities to work with fellow councillors, residents, business representatives and parish councillors and the Borough Council to develop a community infrastructure able to sustain important local services.

(3) That officers engage the business community over creating a sustainable service model in commercial areas of the Borough.

(4) That local services will not be funded by the Borough Council in future and that it wishes to work with parish councils, businesses and communities to develop alternative service solutions including:-

- Street cleaning, low-level graffiti, fly tipping and fly posting removal outside of the major highway network.
- Cosmetic grounds maintenance work that is not covered by fee income and does not create a health and safety risk around road network visibility.
- Litter and dog waste bin emptying, with bins being removed where on-going alternative services cannot be put in place.
- Play and games area inspection and maintenance, with resulting equipment removal where on-going alternative services cannot be put in place.
- Other services provided by the Borough Council.

(5) That Cabinet is committed to enabling a smooth transition to the new delivery model and that operational and tapering financial support will continue to be made available, funded from the savings enabled by the joint working arrangements during the early years of operation, and to provide appropriate training where requested.

(6) That Cabinet be asked to agree, in due course, the recommendation for consultation during Stage 3 of the Community Governance review.

(7) That specific engagement work be undertaken to help residents understand the wider context, proposed changes and the future impact on Council Tax bills.

The reasons for the decision and alternative options are as set out in the report to the meeting.

9. Budget Management 2015/16.

Councillor Russell Holland, Cabinet Member for Finance and Corporate Services,

and the Board Director, Resources, submitted a joint report presenting to Cabinet the 2015-16 Revenue Budget out-turn based on actual expenditure incurred during the Financial Year-ending 31st March 2016.

Councillor Holland introduced the report by reminding Cabinet of the amount of officer effort that was spent ensuring the Council continued to provide services within the budget. He drew Members' attention to the demand-led pressures for personal care services, which had resulted in the overspend in the Commissioning department, and emphasised that the Council remained committed to making support vulnerable people a priority.

Resolved – (1) That the 2015-16 Out-turn for each service area, set out in Table One and Appendix One, be noted and that it also be noted that the out-turn was delivered within Budget for the tenth year running;

(2) That it be noted that the General Fund underspend of £0.2m has been added to the Council's transformation reserve as approved by Cabinet at its meeting on 20th April 2016 (Cabinet Minute 87(3) 2015/16 refers);

(3) That the out-turn positions for the Housing Revenue Account (HRA), Dedicated Schools Grant (DSG) and Public Power Solutions Ltd (PPS) be noted.

(4) That the proposed changes to fees and charges for Licencing be agreed and that the changes to Land Charges, as set out in Appendix 3, be noted.

The reasons for the decision and alternative options are as set out in the report to the meeting.

10. Capital Programme Monitoring Out-Turn

Councillor Russell Holland, Cabinet Member for Finance and Corporate Services, and the Board Director, Resources, submitted a joint report setting out the 2015/16 Capital Programme position as at the end of March 2016.

Councillor Holland welcomed a suggestion from Councillor Heenan that the Council should investigate whether staff costs on particular projects could be capitalised so as to reduce pressure on the revenue budget.

In response to a question from Councillor Elliott, Councillor Heenan undertook to provide written details of the speed amelioration work on Thamesdown Drive.

Resolved – (1) That the latest 2015/16 Capital Programme position, as at financial year end, and as detailed in paragraphs 3.1 to 3.4, be noted.

(2) That the changes to the Capital Programme detailed in paragraph 3.5 of the report be approved.

The reasons for the decision and alternative options are as set out in the report to the meeting.

11. Treasury Management Performance 2015/16

Councillor Russell Holland, Cabinet Member for Finance and Corporate Services, and the Board Director, Resources, submitted a joint report setting out the Treasury Management performance for 2015/16.

Resolved – That the 2015/16 Treasury Management performance, as detailed at paragraphs 3.1 to 3.17 of the report, and Prudential Indicators shown at Appendix 1 to the report, be noted.

The reasons for the decision and alternative options are as set out in the report to the meeting.

12. Housing Revenue Account - Medium Term Financial Plan

Councillor Oliver Donachie, Cabinet Member for Housing and Homelessness, and the Board Director, Resources, submitted a joint report sets out the Housing Revenue Account Medium Term Financial Plan (MTFP) over the next 30 years.

Councillor Donachie drew Cabinet's attention to the key messages set out in paragraph 3.5 of the report, namely:

- there is a significant shortfall in resources available to undertake the investment required and
- investment will be directed largely towards, maintaining homes to the Decent Homes Standard, undertaking structural repairs to the non- traditionally built stock where viable to do so, and re-categorisation of the sheltered housing stock where finances allow.

Resolved – (1) That the Medium Term Financial Plan, set out at Appendix 1 to the report, be endorsed.

(2) That it be noted that the plan will be updated annually to take into account changing policies and updated survey information.

The reasons for the decision and alternative options are as set out in the report to the meeting.

13. The Council Plan and Performance Dashboard 2016- 2020

Councillor David Renard, the Leader of the Council, and Councillor Russell Holland, the Deputy Leader of the Council and the Cabinet Member for Finance and Corporate Services, submitted a joint report seeking Cabinet's approval to the adoption of the Council Plan 2016-2020, outlining the work that the Council will do over the next four years towards the delivery of the Vision, the four priorities and thirty pledges. The report also introduced the Performance Dashboard, developed to ensure that residents, Members, and staff were able to access information about the Council's performance, and containing the measures and targets by which the Council's performance against the work programme outlined in the Council plan would be tracked.

Councillor Russell Holland, Cabinet Member for Finance and Corporate Services, noted the work by Members and Offices to produce this plan, the aims of which would be to provide more data to residents, encourage informed debate and empower local people to suggest ideas of their own to support delivering the Plan that the Council could then investigate.

Resolved – (1) That the Council Plan detailed in Appendix One to the report, be approved and that the Chief Executive be asked to ensure that the Council's work programmes are in alignment with the Plan.

(2) That the Head of Performance, People, and Engagement be authorised to publish and update the Performance Dashboard.

The reasons for the decision and alternative options are as set out in the report to the meeting.

14. Swindon's Country Parks - Future Operational Model

Councillor Garry Perkins, the Cabinet Member for the Economy, Regeneration and Skills and Board Director Resources submitted a joint report on the specific proposals for the introduction of car parking charges at Lydiard House and Park and Coate Water Country Park, which were agreed in principle by Cabinet and Council in February 2016. It was noted that the proposals recognised feedback from a public consultation, the results of which are outlined in the report.

The report also asked Cabinet to confirm its acceptance of a range of lease durations that may be offered by a future operator of Lydiard House and Park, recognising the need to be mindful of the designation of Lydiard as an “Asset of Community Value” under the Localism Act, which can impact on the process to be followed to transfer the running of the facility to another operator.

It was noted that these activities form part of the Council’s strategy of growing the economy and attracting new income streams and would contribute directly to the objective of securing a sustainable future for Swindon’s cultural assets, including country parks.

Councillors Keith Williams and Fionuala Foley commented on the significant level of engagement with residents and park users as part of the consultation and the willingness to amend the proposals to address issues raised, including:

- the possibility of providing dispensation to voluntary and sporting groups that use the two parks.
- changing the proposed levels of pricing.
- introducing separate pricing for Lydiard Park and Coate Water Park.

Resolved – (1) That it be noted that the timeline for the submission of bids for the future running of Lydiard House and Park had been extended until 8 July 2016, for the reasons detailed in paragraph 3.1 of the report.

(2) That the introduction of car parking charges at Lydiard House and Park and Coate Water Country Park from 1 July 2016, using the charging structure set out under paragraph 3.4, be approved.

(3) That a further report be brought to Cabinet in December 2016, following a review of practical issues arising from the implementation of car parking charges, to highlight any lessons learnt for future arrangements.

(4) That the current designation of Lydiard House and Park as an Asset of Community Value be noted and that it be agreed that the Council confirms to potentially interested parties that it is willing to consider a “relevant disposal” through a lease of greater than 25 years to a third party, which would trigger a 6 week ‘interim moratorium’ period during which any qualifying community group is able to express an interest in potentially running the site.

The reasons for the decision and alternative options are as set out in the report to the meeting.

15. Swindon Local Transport Plan - Implementation Plan 2016/17

Councillor Dale Heenan, the Cabinet Member for Sustainability, Highways, and Transport and Head of Highways & Transport submitted a joint report seeking approval for the adoption of the Local Transport Plan Implementation Plan for 2016/17 and for the Local Transport Plan Capital Programme budget apportionment for 2016/17.

Councillor Heenan introduced the report, setting out how it confirmed receipt of £3.9m of government grant along with identifying a pool of schemes on which that money could be spent over the next three years. He added that, if Cabinet approved the recommendations, the Head of Highways and Transport would consult with him to prioritise those schemes set out in the appendix to the main report.

Councillor Heenan advised that the report also sought support to make a submission to the Swindon and Wiltshire Local Enterprise Partnership (SWLEP) for £1.27m to support work on the proposed Thamesdown Drive Extension, for which the substantive business case had already been prepared. Councillor Heenan explained that the additional funding would be used to pay for the detailed design work, ecological and environmental impact assessments along with preparing the planning application.

Councillor David Renard, Chair of Cabinet, informed the meeting that this submission would be considered by the SWLEP Board at its July 2016 meeting.

Resolved – (1) That the Local Transport Plan (LTP) Implementation Plan for 2016/17 be approved.

(2) That the Local Transport Plan Capital Programme budget categories and total spend for 2016/17, as detailed in Tables 1 to 7 of the Implementation Plan attached as Appendix 3 to the report, be approved.

(3) That, subject to approval of the Local Transport Plan Implementation Plan by Council, :

(a) the Head of Highways and Transport, in consultation with the Cabinet Member for Sustainability, Highways, and Transport, be authorised to:

- (i) prioritise schemes in accordance with Vision for Swindon priorities,
- (ii) approve scheme progression in accordance with the updated Protocol (attached as Appendix 2 and originally approved by the Cabinet in July 2010),
- (iii) amend the Protocol to reflect changing job titles and organisational restructuring,
- (iv) vary allocations between different budget categories,

Approve variations in scheme costs,

(v) add/substitute schemes, provided expenditure is contained within the approved total budget, and

(vi) vary the allocation of the £200k of previous funding set out in paragraphs 3.10 and 3.11 such that it is returned to the Council's reserves to be used for Corporate priorities.

(b) the Sustainable Travel Transition Year revenue funding budget categories and allocations for 2016/17 as detailed in table 8 of Appendix 3 be approved and the Head of Highways and Transport, in consultation with the Cabinet Member for Sustainability, Highways, and Transport, be authorised to amend budget allocations between the package elements where necessary to ensure delivery of the projects set out in the bid document.

(c) the Head of Highways and Transport, in consultation with the Cabinet Member for Sustainability, Highways and Transport, be authorised to work with the Swindon and Wiltshire Local Enterprise Partnership to submit a bid to the Large Local Major Schemes Fund for development funding for the Thamesdown Drive to Barnfield Link, as set out in paragraphs 3.13 to 3.15 of the report.

The reasons for the decision and alternative options are as set out in the report to the meeting.

16. Local Bus Services and Strategy Review

Councillor Dale Heenan, the Cabinet Member for Sustainability, Highways, and Transport and Head of Highways & Transport submitted a joint report on proposed revisions to the Local Bus Strategy for Swindon Borough Council, and informing of (a) bus service revisions and reductions being proposed in line with the proposed revised draft Local Bus Strategy required to meet revenue support funding budget pressures, following the Council's decision to remove £100k from the revenue support budget of £267k in 2016-17, (b) the approach, in line with the proposed revised draft Local Bus Strategy, for mitigating revenue support funding changes, (c) proposed service revision and review of Dial a Ride and Community Transport following the Council's decision to reduce the Community Transport budget of £313.5k by £100k in 2016-17, in line with the revised draft Local Bus Strategy, and (iv) the development of a single consultation document, based on the revised draft Local Bus Strategy (Appendix 1) aligned with details of the Public Transport Contracts (Appendix 2) and Examples of the Proposed BusLink Community Transport Hub Services (Appendix 3), that would be the basis of consultation on the strategy and its implications.

Councillor Heenan introduced the report, commenting that the proposals were a continuation of issues raised during the 2016/17 Budget process. He advised that the intention was to commence a consultation on proposed changes to the Council/s Bus Strategy in order to seek a bus network that consisted entirely of commercial routes. The savings achieved by this would be used to support bus link and hub projects to enable residents in villages and parts of the Borough not served by commercial bus services to reach key public services such as the hospital, or places where they could interconnect with public transport. To this effect, initial conversations had already been held with five parishes in the east of the Borough. Councillor Heenan added that the final Bus Strategy and proposals would return to Cabinet for consideration in the autumn.

Resolved – (1) That the use for public consultation of the draft revised Local Bus Strategy, as set out in Appendix 1 to the report, and its implications for local bus services, as set out in Appendices 2 and 3, be noted and that the proposed service revision and its implications for Dial a Ride and Community Transport be also noted. (2) That the Head of Highways and Transport, in consultation with the Cabinet Member for Sustainability, Highways and Transport, be authorised to finalise the public consultation document and to carry out the public consultation on the draft revised Local Bus Strategy and its implications. (3) That a report detailing the results of the public consultation be submitted to the meeting of the Cabinet in September 2016.

The reasons for the decision and alternative options are as set out in the report to

the meeting.

17. Waste and Recycling Service

Councillor Keith Williams, the Cabinet Member for StreetSmart, and the Head of StreetSmart, submitted a joint report setting out proposed changes to the Waste and Recycling Service during the third quarter of 2016/17, that would enable service improvements and efficiency savings in waste and recycling collections. It was noted that the proposed changes to the service would impact some households, where their collection day would change, and that consultation with staff and unions would be undertaken, where any proposed changes impact staff.

Councillor Williams introduced the report and explained that the changes would involve reducing the number of vehicles and contract workers, but that no permanent posts would be made redundant. He advised Cabinet that around two thirds of properties in the Borough would be affected by the changes in the collection schedules from the autumn but that a communications plan had been prepared to ensure timely and repeated advice to residents so as to minimise any possible disruption or misunderstanding.

Resolved – That the Head of StreetSmart be authorised, in consultation with the Cabinet Member for StreetSmart, to implement changes to the Waste and Recycling collection service during 2016/17.

The reasons for the decision and alternative options are as set out in the report to the meeting.

18. Use of compulsory purchase powers in the New Eastern Villages (NEV), Swindon

Councillor Toby Elliott, the Cabinet Member for Strategic Planning, and the Board Director, Service Delivery, submitted a joint report concerning the New Eastern Villages (NEV) development area and proposing that the Council should use its compulsory purchase powers to acquire any land falling within the area shown on the attached plan at Appendix 2, which it has unable to acquire by private treaty, and which is necessary for the provision of an item or items of infrastructure and in order to achieve the proper planning of the area. Cabinet was advised that it was considered to be extremely important that the Council makes its position very clear at this early stage that it will use its CPO powers where purchase by agreement is not possible.

Councillor Elliott introduced the report by explaining the New Eastern Villages scheme was the largest greenfield housing expansion project in the UK. Councillor Elliott added that the Council was seeking to ensure that this development had adequate infrastructure, for which the Compulsory Purchase Order powers would be a useful tool to be used in the last resort. He set out details of the extensive engagement that had already occurred as well as informing Cabinet about a major event with stakeholders in July at which he hoped to secure progress without using the CPO powers.

Following this introduction, Councillor Elliott responded to comments from Councillor Dale Heenan, who endorsed the approach as a means of indicating the Council's

commitment to the development, and Councillor Russell Holland, whom he undertook to involve fully so that residents' concerns about any possible loss of access from Ermin Street could be addressed.

Resolved – (1) That the Head of Property Assets, in consultation with the Board Director, Service Delivery, the Director of Law and Democratic Services, the Cabinet Member for Strategic Planning and all relevant stakeholders, be authorised to:

- (a) identify and compile a list of specific areas of land within the area shown on the plan at Appendix 2 to the report, which are required for the purpose of the delivery of necessary infrastructure and in order to achieve the proper planning of the NEV area;
 - (b) undertake negotiations with the owners of relevant interests in the said areas of land with a view to achieving purchase by private treaty, subject to obtaining the necessary authority, depending on purchase price, to; and
- (2) That the Director of Law and Democratic Services, in consultation with the Cabinet Member for Strategic Planning and the Head of Property Assets, be authorised to complete such transactions, on such terms as he considers necessary to protect the Council's interests.
- (3) That, in the event that purchase by private treaty proves unachievable, a report (or reports) be brought to the Cabinet to seek authority for the Director of Law and Democratic Services to make any necessary Compulsory Purchase Order(s).

The reasons for the decision and alternative options are as set out in the report to the meeting.

19. Regeneration Opportunities at Cheney Manor Employment Area

Councillor Garry Perkins, the Cabinet Member for Economy, Regeneration and Skills, and the Chief Executive submitted a joint report regarding a regeneration opportunity at the Cheney Manor Industrial Estate.

Councillor Perkins introduced the report, setting out its intention to provide much-needed investment to improve the quality of a Council-owned industrial estate unit. He added that these refurbishments would be paid for through a 20 year agreement with the present tenant, an engineering firm which was seeking to expand its workforce.

Resolved – That the Director of Law and Democratic Services, in consultation with the Board Director for Resources and Head of Property Assets, be authorised to enter into all necessary documentation, on such terms as he considers necessary to protect the Council's interests, to enable the grant of a lease of Council owned premises at Cheney Manor as detailed in the main body of the report and as identified in the plan attached as an Appendix, and on the basis that the Council funds further landlord improvements, up to the cost identified in the report, in accordance with the financial arrangements also detailed in the report.

The reasons for the decision and alternative options are as set out in the report to the meeting.

Date of Publication of Draft Decisions: 17th June 2016
Issued to Members of the Scrutiny Committee: 17th June 2016

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**NOTICE OF DRAFT DECISIONS OF THE MEETING OF THE CABINET PANEL ON
SCHOOL ORGANISATION HELD ON THURSDAY, 16TH JUNE 2016**

**5. Lowering the Age Range at Crowdys Hill Special School from 11-19 to
4-19 from September 2016**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, and the Head of Education, submitted a joint report inviting the Cabinet Panel to consider lowering the age provision that is recognised by the Local Authority as reserved for pupils with Special Educational Needs (SEN) at The Crowdys Hill School from 11-19yr olds to 4 -19yr olds. It was noted that the report was necessary to enable the Local Authority to create additional provision that is reserved for pupils with Special Educational Needs, (SEN) by an lowering the age range to provide support for children from 4-19 years with Complex Learning Difficulties.

Councillor Foley introduced the report, outlining the background to the proposed lowering of the age range at the school and expanding on the Council's responses to issues of concern raised following the full and detailed consultation. In particular, Councillor Foley advised the meeting of the specific measures to be taken, and proposed to be taken, to address the specific concerns around traffic and car parking issues, including the provision of a turning circle as part of the new build project at the school and the provision of a further entrance, from Jefferies Avenue, to relieve any additional traffic pressures in residential areas

Councillor Foley asked that it be recorded in the minutes that the consultation exercise carried out in support of the proposal, which ran from 8th March to 29th April 2016, had encompassed all residents in the areas immediately surrounding the school, Ward Councillors and parents with children at the school (via a targeted leaflet drop). She also advised that a consultation session had been held to give interested parties an opportunity to view the proposed plans and to put questions about the proposal.

Resolved – That the Cabinet Panel on School Organisation approves the proposals, as set out in the statutory notice attached as Appendix 2 to the report, to lower the age provision that is recognised by the Local Authority as reserved for pupils with Special Educational Needs (SEN) at Crowdys Hill School, Swindon from 11-19yr olds to 4-19yr olds and increase capacity by 36 places, with an implementation date of 1st September 2016, subject to the granting of planning approval.

In reaching its decision, the Cabinet Panel confirms that it -

- has carefully considered the joint report and the representations made at the meeting by Council Officers.
- is satisfied that
 - it has the necessary information in order to make the decision referred to above,
 - the Statutory Notice complied with the statutory requirements,
 - the statutory consultation was carried out properly prior to the publication of the Notice, and

- the Notice did not relate to any other published proposal.
- has carefully considered the factors to be considered by the decision makers, as set out in the statutory guidance from the Department for Children, Schools and Families entitled 'Making Changes to a Maintained Mainstream School.

The Cabinet Panel's decision is approve the proposals as set out in the statutory to:

- 1) Lower the age provision that is recognised by the Local Authority as reserved for pupils with Special Educational Needs (SEN) at Crowdys Hill School, Swindon from 11-19yr olds to 4-19yr olds and
- 2) Increase capacity by 36 places, with an implementation date of 1st September 2016, subject to the granting of planning approval.

The reasons for the decision are as follows:

Education standards and diversity of provision

The Cabinet Panel believed that the Local Authority was responding to the Government's wish to see a dynamic system in which the best schools are able to expand and spread their ethos and success. Crowdys Hill School is rated by Ofsted as a good school with outstanding features.

The proposal to add a Primary provision has been developed due to the rising pressure across the borough to provide additional Specialist Primary school places in recent years. There has been a gradual increase in the number of statements and Education health and Care plans since 2007 and a growing demand for specialist provision. With Swindon's planned expansion bringing another 12000 houses to the town over the next 6 years, it is expected that this pressure will continue to rise.

The Cabinet Panel noted in reaching its decision that Crowdys Hill School was a Local Authority maintained special school, and that therefore the proposal was not consistent with the Government's policy on Academies.

Demand

The Cabinet Panel noted that Crowdys Hill School was very popular with parents and was operating at full capacity with requests from parents to attend. It further noted that Crowdys Hill School recognises the important role that parents play in the life of the school.

The Panel was aware that in common with many Local Authorities, Swindon has seen a large increase in the number of children with Statements of Special Educational Needs (SEN) and that it was likely that these children would struggle with the change attending a mainstream college.

The Cabinet Panel noted that the Local Authority was under a specific duty to respond to representations from parents about the provision of new schools, including requests to establish new schools or make changes to existing schools.

The Cabinet Panel believes that the proposal provides for greater inclusion and access for pupils within the existing school community.

School size

The Cabinet Panel noted that Crowdys Hill is a 178 place special school, which would ultimately expand to 214 4-19 year old places under this proposal.

The Cabinet Panel believes that the school has the capacity to manage the increase in provision effectively, whilst maintaining its status as a good school.

Proposed admission arrangements (including primary provision)

The Cabinet Panel noted that when full, it was anticipated that the proposed primary element would provide up to 36 places for 4-11 year olds. The initial intake would be between 12 and 16 pupils in September 2016, the second intake in September 2017 should see the Primary element full.

The Panel further noted that the pupils would all be required to have Statements of Special Educational Need or an Education Health and Care Plan and would be commissioned by the Local Authority.

National Curriculum

The Cabinet Panel believes that the proposed primary element would offer a full KS1 and KS2 curriculum. Designed to allow these young people to achieve their potential and achieve the highest possible educational standards.

Community cohesion

The Cabinet Panel believes that the Local Authority will be able to provide a range of provision and support that can respond to the individual needs of pupils and parents preferences.

The Cabinet Panel notes that this proposal increases the choices and opportunities for the community served by Crowdys Hill School, and that the responses to the consultation highlight the support for the proposal from within the Special Educational Need community.

Travel and accessibility

The Cabinet Panel noted that whilst the proposals would not have the effect of unreasonably extending journey times or increasing transport costs. It was likely that there would be some increase in traffic to and from the school during drop off and pick up times.

Capital

The Cabinet Panel noted that the possible establishment of a sixth form at Crowdys Hill Special School was included within the Council's 2014 to 2017 Education

Capital Programme, and that a budget of £1,475,000 was provisionally allocated by Council in February 2016 (Council Minute 74, 2015/16 refers).

School premises and playing fields

The Cabinet Panel noted that Crowdys Hill School was currently undergoing a major capital project to resolve issues associated with suitability of space. This project had already been subject to Section 77 Regulations and Sport England requirements through an extensive planning process.

The Cabinet Panel also noted that the proposal to lower the age range would include conversion of existing accommodation, and would not reduce the space available on the site for outdoor pitches and games courts. The proposal would enable the school to continue to provide suitable outdoor space for physical education in accordance with the school curriculum.

Expansion of provision for 4 to 19-year olds.

The Cabinet Panel believes the proposal to extend provision to 4 to 19, will improve, extend the range, and increase participation in high quality educational or training opportunities for pupils within the Local Authority or local area. The new places will fit within the organisation of 4-19 aged provision in Swindon.

Views of Interested Parties

The Cabinet panel noted that during the consultation period the majority of the responses (seven out of ten) were in favour of the proposal.

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