



## **SWINDON BOROUGH COUNCIL**

**Municipal Year 2012/13**

**Meeting of Council on Thursday, 19 July 2012**

### **ITEM - MINUTES OF OTHER COUNCIL BODIES**

#### **SECTION 1 - SPECIAL, AUDIT AND STANDARDS COMMITTEES**

1. Minutes of meeting Monday, 19th March, 2012 of Special Committee (Pages 3 - 6)
2. Minutes of meeting Tuesday, 3rd April, 2012 of Audit Committee (Pages 7 - 8)
3. Minutes of meeting Tuesday, 19th June, 2012 of Audit Committee (Pages 9 - 12)
6. Minutes of meeting Monday, 26th March, 2012 of Standards Committee (Pages 13 - 16)
5. Minutes of meeting Monday, 11th June, 2012 of Standards Committee (Pages 17 - 20)

#### **SECTION 2 - OVERVIEW AND SCRUTINY COMMITTEES**

6. Minutes of meeting Monday, 12th March, 2012 of Scrutiny Committee (Pages 23 - 26)
7. Minutes of meeting Monday, 26th March, 2012 of Scrutiny Committee (Pages 27 - 32)

8. Minutes of meeting Wednesday, 6th June, 2012 of Scrutiny Committee (Pages 33 - 36)
9. Minutes of meeting Thursday, 14th June, 2012 of Scrutiny Committee (Pages 37 - 40)
10. Minutes of meeting Wednesday, 13th June, 2012 of Health Overview and Scrutiny Committee (Pages 41 - 44)
11. Minutes of meeting Wednesday, 14th March, 2012 of Children and Young People's Overview and Scrutiny Committee (Pages 45 - 48)
12. Minutes of meeting Thursday, 22nd March, 2012 of Economic, Environmental and Sustainability Overview and Scrutiny Committee (Pages 49 - 52)
13. Minutes of meeting Tuesday, 27th March, 2012 of Safer and Stronger Communities Overview and Scrutiny Committee (Pages 53 - 54)

### **SECTION 3 - REGULATORY COMMITTEES**

14. Minutes of meeting Tuesday, 13th March, 2012 of Planning Committee (Pages 57 - 60)
15. Minutes of meeting Tuesday, 17th April, 2012 of Planning Committee (Pages 61 - 62)
16. Minutes of meeting Tuesday, 22nd May, 2012 of Planning Committee (Pages 63 - 66)
17. Minutes of meeting Tuesday, 12th June, 2012 of Planning Committee (Pages 67 - 70)
18. Minutes of meeting Tuesday, 20th March, 2012 of Licensing Committee (Pages 71 - 72)
19. Minutes of meeting Friday, 18th May, 2012 of Licensing Committee (Pages 73 - 74)
20. Minutes of meeting Friday, 24th February, 2012 of Licensing Panel (Pages 75 - 76)
21. Minutes of meeting Friday, 23rd March, 2012 of Licensing Panel (Pages 77 - 78)
22. Minutes of meeting Friday, 20th April, 2012 of Licensing Panel (Pages 79 - 80)
23. Minutes of meeting Wednesday, 25th April, 2012 of Licensing Panel (Pages 81 - 82)
24. Minutes of meeting Thursday, 14th June, 2012 of Licensing Panel (Pages 83 - 84)
25. Minutes of meeting Friday, 18th May, 2012 of Appointments Committee (Pages 85 - 86)
26. Minutes of meeting Friday, 18th May, 2012 of Appeals Committee (Pages 87 - 88)

- 27. Minutes of meeting Tuesday, 24th April, 2012 of Education Transport Appeals Sub-Committee (Pages 89 - 90)
- 28. Minutes of meeting Friday, 27th April, 2012 of Education Transport Appeals Sub-Committee (Pages 91 - 92)
- 29. Minutes of meeting Friday, 1st June, 2012 of Education Transport Appeals Sub-Committee (Pages 93 - 94)

#### **SECTION 4 - CHILDREN SERVICES BODIES**

- 30. Minutes of meeting Thursday, 15th March, 2012 of Swindon Children's Trust Board (Pages 97 - 104)
- 31. Minutes of meeting Thursday, 14th June, 2012 of Swindon Children's Trust Board (Pages 105 - 110)
- 32. Minutes of meeting Tuesday, 6th March, 2012 of Schools Forum (Pages 111 - 116)
- 33. Minutes of meeting Tuesday, 27th March, 2012 of Standing Advisory Council on Religious Education (Pages 117 - 122)

#### **SECTION 5 - POLICE AND FIRE AUTHORITIES**

- 34. Minutes of the meeting of the Wiltshire Police Authority held on 9th February, 27th March and 19th April 2012. (Pages 125 - 146)
- 35. Minutes of the meeting of the Wiltshire & Swindon Fire Authority held on 30th May and 21st June 2012. (Pages 147 - 158)

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## **Section 1**

# **Special, Audit and Standards Committee Minutes**

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## **SPECIAL COMMITTEE**

**MONDAY, 19 MARCH 2012**

**PRESENT:-** Councillors Roderick Bluh (Chair), Garry Perkins (Vice-Chair), Jim Grant, Brian Mattock, Andy Harrison (Deputy), Russell Holland (Deputy) and Robert Wright (Deputy).

Councillor Des Moffatt attended the meeting in respect of Minute 31.

Apologies for absence were received from Councillors Mark Dempsey, David Renard and Stan Pajak.

### **24. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

### **25. Minutes**

Resolved – That the minutes of the meeting held on 16<sup>th</sup> January 2012 be confirmed and signed as a correct record.

### **26. Public Question Time**

No public questions were asked under Standing Order 28.

### **27. 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 Agenda Item No. 9 of the Notice of the Meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned. (Minute 31 refers.)

### **28. Appointments to Outside Bodies: Highworth Recreation Centre Board.**

The Director of Housing, Leisure, Libraries and Culture reported on the establishment of a new management board to oversee the operation of the Highworth Recreation Centre. The Board would comprise three Council representatives, two Highworth Town Council representatives and one representative of the Highworth Recreation Trust. In order for the Board to commence operation as soon as possible there was a requirement for the appointment of three Council representatives to serve on the Board.

Resolved – That Councillors Junab Ali, John Short, and Keith Williams be appointed to serve as representatives of the Council on the Board of the Highworth Recreation Centre for the remainder of the Municipal Year 2011/12.

## **29. Adjustment to Stronger Together Organisational Structure**

The Leader of the Council and the Chief Executive submitted a joint report concerning proposed changes to the Council's Stronger Together Tier 2 Management Structure and detailing appointments to it, following the recommendations made in respect of Tier 2 appointments by the Council's Appointments Sub Committee on 24<sup>th</sup> October 2011.

The Head of Human Resources advised of proposed changes to the Tier 2 structure and the reasons why these had been necessary. She circulated a revised Appendix 1 to the joint report setting out the Council's Stronger Together Tier 2 Management Structure.

Councillor Bob Wright referred to the financial implications of the Council restructuring and believed that greater transparency regarding the pay structure and costs of Stronger Together and its management tiers would be welcomed by both Councillors and the public. The Chair confirmed that the Council was on target to achieve £1.2m of savings in Council management costs by April 2013. He was happy to discuss with the Head of Human Resources how more transparency could be provided on the pay structure associated with the Tier 1 and 2 Management Structure.

Resolved – That the Special Committee, on behalf of the Council:-

- (a) Approves the changes to the Council's Stronger Together Tier 2 Management Structure, as referred to in paragraphs 2.5 to 2.10 of the joint report, and agrees that this revised structure, as set out in the revised Appendix 1 to the joint report (as circulated at the meeting), be implemented by 1st April 2012 or on such date as may be determined by the Chief Executive.
- (b) Notes and endorses the appointments made by the Council's Chief Officers Appointments Sub-Committee on 24th October 2011.
- (c) Authorises the Director of Law and Democratic Services to amend the Council's Constitution accordingly.
- (d) Authorises the Chief Executive to finalise all outstanding terms and conditions that remain to be resolved, including titles and salaries, in consultation with the Leader of the Council to enable the revised structure to be implemented by 1st April 2012.

## **30. Chief Executive - Changes to Terms and Conditions of Employment**

The Leader of the Council and the Head of Human Resources submitted a joint report concerning proposed changes to the terms and conditions of employment of the Council's existing Chief Executive.

The Chair referred to his discussions with the Chief Executive regarding his terms and conditions and the reasons why he believed the proposals put forward were in the best interests of the Council. With the consent of the meeting, he revised a recommendation within the joint report, and advised that the reference in recommendation (3) to "either party" should in fact say "the Council".

Councillor Andy Harrison referred to the potential financial implications for the Council of extending the Chief Executive's notice period, and his concern that in certain circumstances such an extension would not be in the best interests of the Council. The Chair commented on the timescale likely to be associated with the



recruitment of a new chief executive and expressed his belief that the proposal under consideration with regard to the notice period would not disadvantage the Council.

Resolved – That the Special Committee, on behalf of the Council:-

- (a) Notes the Chief Executive's wish to receive a further voluntary reduction in annual salary of 3%, to £161,003, with effect from 1st April 2012;
- (b) Agrees that the notice period for the Chief Executive, by either party, be extended from three months to six months and that the Chief Executive's terms and conditions be amended accordingly;
- (c) Notes that, if notice is given by the Council, then the Chief Executive's salary will revert to the substantive contractual rate of £178,475, with immediate effect from the date that notice is given and that any redundancy payment (if applicable) will be based on the substantive salary.

(Councillor Andy Harrison requested that his vote against the above decisions be recorded.)

### **31. Redundancy Severance**

The Leader of the Council and the Chief Executive submitted a joint report concerning the redundancy severance arrangements for Employee No. 1437459.

The Head of Human Resources explained that, as a result of the Council's adoption of the Stronger Together Management Structure, Employee No. 1437459's existing job has been deleted from the establishment, and that not having been appointed to a role in the new structure and no suitable alternative roles being available within the organisation Employee No. 1437459 was now redundant.

The Director of Law and Democratic Services and the Head of Human Resources explained the reasons why, in view of the circumstances of this case, including the seniority of the post involved and the potential for legal challenge in relation to any redundancy situation, it was considered appropriate that a Compromise Agreement should be entered into.

In response to Members' questions, the Director of Law and Democratic Services and the Head of Human Resources provided clarification on the circumstances of the case, the nationally agreed terms and conditions applying to senior officer contracts, and the financial implications associated with the proposed redundancy severance arrangements in this case and in previous similar cases in which the Council has been involved..

Resolved – That the Special Committee on behalf of the Council –

- (a) Approve the redundancy severance arrangements for Employee No. 1437459.
- (b) Authorise the Director of Law and Democratic Services to conclude a compromise agreement between the Council and Employee No. 1437459, based on a final day of service of no later than 20<sup>th</sup> April 2012, and as set out in the joint report, unless otherwise agreed in consultation with the Leader of the Council and the Chief Executive.

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**AUDIT COMMITTEE**

**TUESDAY, 3 APRIL 2012**

PRESENT:- Councillors Michael Dickinson (Chair), Fionuala Foley and Peter Stoddart

Apologies for absence were received from Councillors Des Moffatt (Vice-Chair) and Vera Tomlinson.

**44. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

**45. Public Question Time**

No questions were asked under Standing Order 18.

**46. Minutes**

Resolved - That the minutes of the meeting held on 28 February 2012 be confirmed and signed.

**47. Draft Internal Audit Annual Plan 2012/13**

The Head of Internal Audit submitted a report setting out the draft Audit Annual Plan for 2012/13.

Resolved – (1) That the draft Internal Audit Plan for 2012/13 be approved.

(2) That it be noted that , regardless of any changing priorities over the course of the year, the Committee would wish to see planned audits of the Council's procurement and commissioning functions retained within the Audit Plan for 2012/13.

**48. Chair's Closing Remarks**

In concluding the meeting, the final meeting of the 2011/12 Municipal Year, the Chair thanked the members of the Committee and the support officers for their help in addressing what had proven to be a very significant and important workload.

The Chair also commented that Councillor Peter Stoddart was retiring from the Council after many years of service. On behalf of the Committee, the Chair thanked Councillor Stoddart for his valuable contribution to the work of the Audit Committee and wished him a long and happy retirement.

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### AUDIT COMMITTEE

TUESDAY, 19 JUNE 2012

PRESENT:- Councillors Michael Dickinson (Chair), Des Moffatt (Vice-Chair), Steve Allsopp, Brian Ford, Mary Friend, Neil Heavens and Nick Martin.

#### 1. **Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

#### 2. **Public Question Time**

No questions were asked under Standing Order 18.

#### 3. **Minutes**

Resolved - That the minutes of the meeting held on 3<sup>rd</sup> April 2012 be confirmed and signed.

#### 4. **Draft accounts 2011-12**

The Board Director, Finance, Revenues, Benefits and Property, introduced a report providing the Committee with an update on the Council's Pre-Audited Statement of Accounts for the Financial Year 2011/12. The Board Director explained that changes to the Accounts and Audit regulations now required him to sign off the draft accounts before they were sent for audit and that there was no longer any formal requirement for approval by the Audit Committee; however he felt that it remained good practice to involve the Audit Committee in the process. He advised that the audit of the accounts would continue throughout the summer and that the final accounts would be submitted for the Committee's consideration at its September meeting. The Board Director concluded his presentation of the draft accounts by highlighting the major issues within the accounts, primarily relating to the incorporation of the new debt for the Housing Revenue Account, the inclusion in the accounts of Heritage assets and changes relating to the asset values of Academy Schools.

Resolved – (1) That the Pre-Audited Statement of Accounts for the Financial Year 2010/11 be noted.

(2) That it be noted that the final accounts would be submitted to the September meeting of the Committee for consideration.

#### 5. **Audit Committee: Annual Report for the year 2011/12**

The Head of Internal Audit submitted a report introducing the Committee's Annual Report for 2011/12.

Resolved – That the report be noted.

#### 6. **Audit Committee - Terms of Reference**

The Committee received a report of the Head of Internal Audit detailing the Audit Committee's terms of reference and work programme for 2012/13.

Resolved – (1) That the Audit Committee's revised terms of reference and its work programme for 2012/13 be approved.

(2) That, in response to members' request, when they are finalised, the final accounts of Digital City (UK) Ltd be made available to the Audit Committee for inspection.

## **7. Internal Audit's Annual Report for the year 2011/12.**

The Committee received the Head of Internal Audit's Annual report for 2011/12.

Resolved – That the report be noted and that the Head of Internal Audit and his officers be thanked for their conscientious and hard work over last year in meeting the requirements of a very comprehensive audit programme.

## **8. Audit Committee: Effectiveness of the system of Internal Audit**

In compliance with the Accounts and Audit (Amendment) (England) Regulations 2011, the Head of Internal Audit submitted a report inviting the Committee to review the effectiveness of the Council's system of Internal Audit.

Resolved – That the various areas of assurance and supporting evidence set out in the report, and the information contained in the Checklist provided in the CIPFA Code of Practice for Internal Audit in Local Government in the UK 2006, appended to the report, and the CIPFA Audit Committee Toolkit Self-Assessment Checklist, also appended to the report, as revised by the Committee during its consideration of the report, be accepted as providing assurance of the effectiveness of the Council's system of Internal Audit.

## **9. Draft Annual Governance Statement**

The Head of Internal Audit submitted a report providing the Committee with details of the draft Annual Governance Statement 2011/12, setting out the Council's governance arrangements and providing an assessment of the performance of those arrangements over the year.

Resolved – That the draft Annual Governance Statement 2011/12, appended to the report, be approved for signing off by the Leader of the Council and the Chief Executive.

## **10. Internal Audit reports identifying significant risk or 'of concern': Corporate Manslaughter/Health Safety and Wellbeing Update**

Further to Minute 5 2011/12, the Committee received a report on the follow-up review of progress in implementing the Management response to the Internal Audit recommendations arising from the review of the mitigating controls in place to prevent cases of corporate manslaughter. It was noted that the audit review was finalised in May 2010 when an overall risk assessment of "Of Concern" was given. It was further noted that the review had been carried out alongside a specific audit review on the Health and Safety arrangements operating in Adult Social Care. The Council's Board Director, Service Delivery, the responsible officer under the Council's new "Stronger Together Organisational structure, was in attendance to provide a current position statement and to respond to members' questions on issues raised by the follow-up review, the management response to the audit

conclusions and key recommendations, and progress in implementing the action plans.

Resolved – (1) That the report, and the details of the Draft Health and Safety Action Plan, tabled at the meeting, be noted.

(2) That a further progress report on the implementation of the action plans be submitted to the November 2012 meeting of the Committee.

## **11. External Audit - Progress Report**

Mr Peter Smith of the Audit Commission presented a progress report on the delivery of its responsibilities as the Council's external auditor, including an update on the externalisation of the Audit Practice, and highlighting a number of key emerging national issues and developments that might be of interest to the Committee.

Resolved – That the report be noted.

## **12. Head of Internal Audit Update**

The Committee received a report of the Head of Internal Audit summarising the main issues arising from the Internal Audit reports finalised since the last Audit Committee meeting in April 2012 and progress made against the Annual Internal Audit Plan. The report also advised that internal Audit had been successful in renewing its contract for the provision of audit services for the Wiltshire and Swindon Fire Authority.

Resolved – (1) That the report be noted.

(2) That the internal audit report on Payroll be submitted to the next meeting of the Committee for consideration.

(In accordance with the National Code of Local Government Conduct, in his capacity as the Deputy Chair of the Fire Authority, Councillor Nick Martin made a non-prejudicial declaration of interest in respect of the Committee's consideration of that part of the report relating to Internal Audit's securing of the contract for the provision of audit services to the Wiltshire and Swindon Fire Authority.)

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**STANDARDS COMMITTEE**

**MONDAY, 26 MARCH 2012**

PRESENT:- Mr Keith Carby (Chair), Mr Trevor Davies (Vice-Chair), Mr Paul Morris, Mr Mike Compton, Mr Gerry Eyles, Mr Richard Hailstone, Councillor Sinead Darker, Councillor Fay Howard, Councillor Peter Stoddart and Councillor Kevin Small.

Apologies for absence were received from Mr David Dawson.

**21. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**22. Minutes**

Resolved – That the minutes of the meeting held on 23<sup>rd</sup> January 2012, be confirmed and signed as a correct record.

**23. Public Question Time**

No public questions were received during the meeting.

**24. 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 Agenda Item 8 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 27 refers).

**25. Question and Answer Session - Leader of the Council and Chief Executive**

The Leader of the Council, and the Chief Executive, attended the meeting to discuss the Council's approach to ethical governance, and their key priorities in relation to ensuring that high ethical standards are promoted and maintained within the Council.

The discussion included:

- An update on Stronger Together, the new Council management structure and way of working from 1 April 2012, and the context and reasons for these changes.

- The role for Town and Parish Councils under the Localism Act, and the need for close working with the Council, in particular in Localities.
- The context in which the Council was operating with regard to the economic climate, budget pressures and a heightened political environment, and the importance of the public understanding the different roles of officers and Councillors, and the democratic mandate held by Councillors.
- The continuing growth of social media, and the difficulties that presents for Councillors knowing how and when to engage, and ensuring that their contributions are compliant with the Media Guidelines for Councillors and the Member Code of Conduct.

The Committee noted that the Leader of the Council and the Chief Executive both considered that the Protocol of Member / Officer Relations was fit for purpose. In addition, the discussion on social media endorsed an earlier recommendation by the Committee that the new Members Code of Conduct, to be drafted when the Regulations under the Localism Act were published, should include specific reference to use of social media.

Resolved - That the Leader of the Council and the Chief Executive both be thanked for attending the Committee and answering the questions of the Committee.

## **26. Ethical Framework Update Report**

The Committee received a report from the Director of Law and Democratic Services (Monitoring Officer) providing an update on matters relating to the Ethical Framework.

The Committee received an update on the Localism Act 2011 and its implementation. The Director of Law and Democratic Services confirmed that the Corporate Governance Working Group had endorsed the proposals of this Committee, which included the continuation of a stand-alone Standards Committee to oversee the implementation of the Act with a non-voting role for Parish Councillors and Independent Member(s), and for the new Member Code of Conduct to be based broadly on the existing Code. The Committee agreed that it be recommended to Council that the membership of the current Independent Members should continue until the implementation of the new arrangements under the Localism Act 2011.

The Director of Law and Democratic Services advised as to the potential sanctions that could be available to the Committee for breaches of a new Member Code of Conduct.

It was noted that the Monitoring Officer was beginning the review of the Council's Codes and Protocols and would report back with recommendations to the next suitable meeting.

The Committee received and endorsed the proposed preparation process for the Council's Annual Governance Statement as set out in the report.

The Committee also received back an updated record of the ethical training being received by Parish Councillors and Clerks.

Resolved - 1) That the Ethical Framework Update be noted.

2) That it be recommended to Council that the memberships of all four existing Independent Members be extended for a further 12 months or until the statutory Standards Committee ceases to exist, whichever the earlier.

3) That the Monitoring Officer report back to the next suitable meeting of this Committee with the outcome of the review of the Council's Codes of Conduct.

## **27. Ethical Compliance Report**

The Committee considered an exempt report from the Director of Law and Democratic Services (Monitoring Officer) regarding the outcome of various ethical framework compliance matters, including the receipt and progress of Whistleblowing Complaints since the last meeting, a statistical summary of complaints received 2006/7 to date, and an update on the progress of complaints relating to breaches of the Protocol of Member/ Officer Relations and the Members Code of Conduct.

The Committee noted that the statistical summary of the Whistleblowing Cases showed the effectiveness of the scheme, resulting in a number of management actions, dismissals, or process changes, as a result of the complaints made over the 5 year period.

Resolved – 1) That the report be noted.

2) That the 'Procedure for Local Determination of Complaints' and the informal 'Practical Arrangements for the Hearing' established under the Members Code of Conduct be adapted for use in relation to complaints under the Protocol of Member / Officer Relations, and the Director of Law and Democratic Services be authorised to make appropriate amendments to the procedures.

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**STANDARDS COMMITTEE**

**MONDAY, 11 JUNE 2012**

PRESENT:- Mr Keith Carby (Chair), Mr Trevor Davies (Vice-Chair), Mr Paul Morris, Mr Mike Compton, Mr Gerry Eyles, Mr Richard Hailstone, Councillor Rex Barnett, Councillor Mary Friend, Councillor Fay Howard, Councillor Richard Hurley, Councillor Teresa Page and Councillor David Wood.

Apologies for absence were received from Mr David Dawson.

**1. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**2. Minutes**

Resolved – That the minutes of the meeting held on 26<sup>th</sup> March 2012, be confirmed and signed as a correct record.

**3. Public Question Time**

No public questions were received during the meeting.

**4. Exempt Items - Exclusion of Press and Public**

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 they involve the likely disclosure of exempt information as defined in the respective paragraphs of Part 1 of Schedule 12A of the Act.

<u>Item No.</u>	<u>Paragraph No.</u>	<u>Minute No.</u>
8	1, 2	7

**5. Annual Work Programme**

The Committee considered a report of the Director of Law and Democratic Services (Monitoring Officer) asking the Committee to its Work Programme for 2012/2013.

Resolved – That the Committee's Work Programme for 2012/2013 be approved.

**6. Localism Act 2011 - Standards Framework**

The Committee considered a report from the Director of Law and Democratic

Services (Monitoring Officer) recommending the adoption of a new Members Code of Conduct and procedure for investigating and hearing complaints to come into operation when the statutory Standards Framework ceases to have effect under the Regulations to the Localism Act.

The Director of Law and Democratic Services advised on the Pecuniary Interest Regulations and the Local Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012 which had been issued by the Government on 8<sup>th</sup> June 2012.

The Committee noted the options before the Council in relation to the Code of Conduct and Standards Framework. It was agreed that the Code as appended to the report was in line with discussions with the Standards Committee, Parish Councils and the Corporate Government Working Party to keep the Code as close to the current one as possible. The Committee recommended one change, which was to the increase in the value of gifts or hospitality to be declared by Members from £25 to £50. The Director of Law and Democratic Services advised that he would provide additional information in the report to Council as to the nature of declarable pecuniary interests under the Regulations, and for which failure to declare made Members liable to prosecution, and the nature of the sanctions available to the courts. The Director of Law and Democratic Services would be offering training to Councillors.

It was noted that Town and Parish Councils were also required to adopt a Code of Conduct by 1 July 2012, and it was not yet known whether those in Swindon would adopt the same Code as the Council or adopt that recommended by the National Association of Local Councils. It was agreed that the Director of Law and Democratic Services would also offer training to Town and Parish Councils on the Code and new framework.

The Committee approved the governance arrangements suggested as to the consideration of complaints under the Code of Conduct, for the appointment of two independent persons, and for the composition and work of the Standards Committee.

Resolved that –

It be recommended to Council that -

- 1) The revised Members Code of Conduct set out at Appendix '4' to the report be adopted to come into operation on 1<sup>st</sup> July 2012, subject to the amendment of 8(1) (viii) to set the value of gift or hospitality to be declared as £50.
- 2) The Director of Law and Democratic Services be authorised to make any further technical amendments to the Code which may be necessary as a result of any statutory requirements introduced following the adoption of the revised Code.
- 3) The arrangements for consideration, investigation and hearing of complaints under the revised Members Code of Conduct be adopted as set out below:
  - The Code of Conduct Complaint Form (Appendix '5' to the Report)
  - Procedure for dealing with Complaints (Appendix '6' to the Report)
- 4) The current statutory Standards Committee be dissolved on 30<sup>th</sup> June 2012, and

a new Standards Committee be appointed with effect from 1<sup>st</sup> July 2012.

- 5) Article 9 of the Council's Constitution be amended as set out in Appendix '8' and that the Standards Committee be authorised to grant dispensations under section 33 of the Localism Act 2011.
- 6) At least one Independent Person be appointed to that statutory role, with each Independent Person to hold office from 1<sup>st</sup> July 2012 until the date of the Annual Council meeting in 2013 (17<sup>th</sup> May 2013), with an option to extend for a further period until the date of the Annual Council meeting in 2014, subject to the agreement of the Council and the Independent Person.
- 7) It be noted that Standing Orders were amended at Annual Council on 18th May 2012 to require those declaring personal and prejudicial, or disclosable pecuniary interests, to declare that interest and leave the room during the discussion of the relevant item unless a dispensation to stay has been obtained.
- 8) The Director of Law and Democratic Services be authorised to amend Part 4 of the Council's Constitution (Access to Information Procedure Rule) Section 10, 'Meaning of Exempt Information', by deleting paragraphs 8, 9 and 10 and amending other wording accordingly.
- 9) The Director of Law and Democratic Services be requested to provide appropriate training for Borough Councillors on the revised Code, and to offer similar training to Town and Parish Councils.
- 10) The Director of Law and Democratic Services Officer be authorised to amend the Council's Constitution to take into account any further amendments required as a result of the Localism Act 2011 and its associated Regulations.

## **7. Ethical Compliance Report**

The Committee considered an exempt report from the Director of Law and Democratic Services (Monitoring Officer) regarding the outcome of various ethical framework compliance matters, including the receipt and progress of Whistleblowing Complaints since the last meeting and an update on the progress of complaints relating to breaches of the Protocol of Member/ Officer Relations and the Members Code of Conduct.

Resolved – 1) That the report be noted.

## **8. Vote of Thanks**

As this was the last meeting of the statutory Standards Committee, Councillor David Wood proposed a vote of thanks to the Independent Members and Town Parish Council representatives for their work on the Committee over many years. In particular he thanked Keith Carby who had been the Chair of the Standards Committee continuously since its inaugural meeting in 2000, and Trevor Davies who had been the Vice-Chair for most of that period, for their length of public service.

The Chair, Mr Keith Carby, advised that this was his last meeting as he was not seeking to continue as a non-voting co-opted member of the Committee, and

thanked all his fellow Independent Members, in particular Mr Trevor Davies who had served with him as Vice-Chair for many years, and the Parish Representatives, Councillors and Officers for their work and support on the Committee.

Resolved – That the Independent Members and Parish Council representatives be thanked for their work on the statutory Standards Committee.



## **Section 2**

### **Overview and Scrutiny Committee Minutes**

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## SCRUTINY COMMITTEE

**MONDAY, 12 MARCH 2012**

**PRESENT:-** Councillors Fionuala Foley (Vice-Chair), Andy Harrison, Peter Heaton-Jones, Des Moffatt, Kevin Parry, Eric Shaw and Vera Tomlinson

Councillors Brian Mattock, Cabinet Member for Health and Adult Social Care, and Nick Martin, Cabinet Member for Streetsmart and Parks, were in attendance.

Apologies for absence were received from Councillors Kevin Small (Chair) and Emma Faramarzi

### **143. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

### **144. Public Question Time**

No questions were asked under Standing Order 18.

### **145. Minutes**

Resolved – That the minutes of the meetings held on 13<sup>th</sup> and 20<sup>th</sup> February 2012 be confirmed and signed as a correct record.

### **146. Question and Answer Session - Cabinet Member for Health and Adult Social Care**

Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, was in attendance. Following a position statement in which he summarised performance in respect of the various service areas within his portfolio of responsibility, including his assessment of what he felt had been done well, what might have been done differently and the challenges facing his portfolio, Councillor Mattock responded to members' and health colleagues' specific questions and observations on the following topics:

- commissioning personalisation through personal budgets and the development of a competitive market to facilitate choice of opportunity for individuals in determining the care package that best responds to their needs' assessment
- individuals' responsibility for the management of personal budgets
- the establishment of new Clinical Commissioning Groups within NHS cluster areas
- supported employment and the promotion of independence and refurbishment works at Enterprise Works
- disability service provision, diabetes as a cause of disability and the process of disabled facility grants assessments
- the monitoring of carers budgets, particularly where the carer "is not the person receiving the support service"

- communication between SEQOL and the Hospital Trust and the consistency and accuracy of messages between and from these organisations
- weekend staffing resources at the Great Western Hospital and SEQOL
- staffing levels within the occupational therapy service
- the cost and value for money of drug and alcohol abuse support services
- smoking as a primary cause of preventable illness and premature death and the success and measurement of Swindon's "quitter" programmes
- adult obesity levels in Swindon and concerns that this is significantly higher than the average for England
- the funding of the Swindon Warm and Well scheme and the projected total additional scheme accruing from the income maximisation process
- the availability and standard of diabetes services available through general practices
- "legal high" drugs and work to combat their availability
- the merging of children's and adult social care services under the new "stronger together" structure
- the impact of Homeline and Careline referrals on the Adult Social Care budget and the resourcing of the control room
- Local Authorities' public health service strategic responsibilities
- the role of the Cabinet Member as an "opinion leader"

It was agreed that information requested by members during the course of the Committee's consideration of this item be forwarded to members via the Committee Clerk.

Resolved – That Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, be thanked for attending the meeting and for his full and open responses to members' questions on service areas and issues within his portfolio of responsibility.

#### **147. Question and Answer Session - Cabinet Member for StreetSmart and Parks**

Councillor Nick Martin, Cabinet Member for Streetsmart and Parks, was in attendance. Following a position statement in which he summarised performance in respect of the various service areas within his portfolio of responsibility, including his assessment of what he felt had been done well, what might have been done differently and the challenges facing his portfolio, Councillor Martin responded to members' specific questions and observations on the following topics:

- waste recycling and proposals to achieve the aspiration of a 60% waste recycling rate
- the aspirations of the proposed "waste to energy" strategy
- the administration of the members' "hotline" and the possibility of providing an acknowledgement that a matter has been reported and is being addressed
- tree planting and guidance for the planting of trees at "safe" distances from property and infrastructure routes in order to avoid problems arising from root growth
- the gritting of residential roads and the criteria for the placement of "grit bins", particularly in relation to areas where roads have not been adopted

- the issue of local residents in some new development areas nationally being required to pay towards the maintenance of designated open spaces
- the Council's waste recycling target and the publicising of what constitutes recyclable material
- the recycling centre and the possibility of new revenue streams from facilitating business trade waste access
- commercial business leaflet distributions and paper recycling
- the limited provision of public conveniences
- waste collections over bank holiday periods
- service level agreements and specifications for landscape maintenance works
- tree planting, programmed tree works and emergency works

It was agreed that information requested by members during the course of the Committee's consideration of this item be forwarded to members via the Committee Clerk.

Resolved – That Councillor Nick Martin, Cabinet Member for Streetsmart and Parks, be thanked for attending the meeting and for his full and open responses to members' questions on service areas and issues within his portfolio of responsibility.

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## SCRUTINY COMMITTEE

**MONDAY, 26 MARCH 2012**

PRESENT:- Councillors Kevin Small (Chair), Fionuala Foley (Vice-Chair), Andy Harrison, Peter Heaton-Jones, Des Moffatt, Kevin Parry, Eric Shaw, Vera Tomlinson, Robert Wright and Andy Albinson

Councillors Roderick Bluh, Leader of the Council and Chair of Cabinet, Garry Perkins, Deputy Leader of the Council and Vice-Chair of Cabinet and Cabinet Member for Regeneration and Culture, Mark Edwards, Cabinet Member for Finance, Colin Lovell, Cabinet Member for Customer Services and a Safer and Stronger Borough, Brian Mattock, Cabinet Member for Health and Adult Social Care, David Renard, Cabinet Member for Children's Services, and Keith Williams, Cabinet Member for Leisure and Corporate Services were also in attendance.

Apologies for absence were received from Councillors Emma Faramarzi

## 148. **Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

## 149. Public Question Time

Carol Bent of Marlborough Road, Old Town, Swindon, asked questions regarding the proposed Croft School and, in particular, matters she had raised at a previous meeting of the Committee, on that same subject, to which she felt she had not received adequate responses. The Chair responded to Ms Bent's questions and also confirmed that full responses had been given to her previous questions. He commented that it had to be recognised that the answers given at the meeting were no less valid simply because they were not what the questioner might have hoped to hear.

Steve Thompson of Northern Road, Gorse Hill, asked a question regarding the valuation of land proposed for development at Pickards Field. Councillor Rod Bluh, the Leader of the Council, responded to Mr Thompson's question. In response to a supplementary question by Mr Thompson regarding his understanding that the developer had indicated at a public meeting that new changing rooms would not be provided as part of the scheme, the Leader agreed to investigate the matter and provide Mr Thompson with a written response. Mr Thompson was asked to advise the Committee Clerk of his contact details.

Colin Doubleday, the Chair of Pipers Area Residents Association, referred to his attendance at recent Locality meetings and asked about members' understanding of the roles of the Locality Leads. The Chair and the Leader of the Councillor responded to Mr Doubleday's question. The Chair also responded to supplementary questions put by Mr Doubleday regarding the application of the Council's "10 working days" rule to Councillors and Locality Leads when responding to correspondence.

Kareen Boyd, of Hesketh Crescent, Old Town, Swindon, put a question regarding the Council's projections for secondary school places and, specifically, the identification of secondary school places for the children of families resident in Wichelstowe. Councillor David Renard, Cabinet Member for Children's Services responded. Councillor Renard, with the Leader and the Deputy Leader of the Council, responded to a supplementary question put by Mrs Boyd regarding the provision of additional secondary schools in the "southern locality" in next 5 to 10 years. Mrs Boyd also sought clarification of statements in the October 2009 feasibility study regarding the "potential for future expansion of Croft School" and the "excellent access" to that site. It was agreed that a written response should be provided.

Richard Symonds, a local resident, asked about the appropriateness of the Council's disposal of an asset six weeks before the local elections. The Chair responded to Mr Symonds question.

## **150. Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 21 March 2012.

### *104. Proposed redevelopment of Dorcan House/Eldene Shopping Centre*

Councillor Rod Bluh, the Leader of the Council, responded to questions put by Councillor Foley regarding the relocation of businesses currently in the Eldene Shopping Centre, and, in particular, the commitment to retaining the local post office and the chip shop.

Resolved - That Minute 104 of the Cabinet be noted.

### *105. Revenue Budget Management 2011/12*

Resolved - That Minute 105 of the Cabinet be noted.

### *106. Capital Budget Monitoring Report 2011/12*

Resolved - That Minute 106 of the Cabinet be noted.

### *107. School Admission Arrangements and Home to School Transport Policy*

Resolved - That Minute 107 of the Cabinet be noted.

### *108. Adult Learning Plan 2012*

Resolved - That Minute 108 of the Cabinet be noted.

### *109. Recycling in Swindon*

Resolved - That Minute 109 of the Cabinet be noted.

### *110. Pay Policy Statement*

Resolved - That Minute 110 of the Cabinet be noted.



*111. Proposed merger of Swindon Borough Council and Wiltshire Police Community Safety Teams*

Resolved - That Minute 111 of the Cabinet be noted.

*112. Award of Highways, Transport and Landscape Schemes to Swindon Commercial Services Limited*

Resolved - That Minute 112 of the Cabinet be noted.

*113. References from Other Council Bodies - Corporate Governance Review Working Group*

Resolved - That Minute 113 of the Cabinet be noted.

*114. Sale of Site at Gorse Hill, Swindon*

Councillor Rod Bluh, the Leader of the Council, supported by the Council's Director of Law and Democratic Services, responded to questions put by members of the Scrutiny Committee, and by Councillors John Ballman and Rochelle Russell, on the following issues. :

- the advice and information made available to members regarding the process of land disposals prior to their consideration of this proposal
- the Council's achievement of best value for money in relation to this disposal
- the acquisition of land necessary to accommodate the proposed access to the site
- the independent valuation of the land and the processes around the sale of the land to the developer and the subsequent reinvestment of that receipt in the local community and environment through works the developer would be asked to carry out as part of the development contract
- the statement in the report to Cabinet on 15 February that the reinvestment of the "surplus value" was necessary to ensure that "the new development's sales and rental values assumptions remain valid (and hence the overall financial viability) by providing an attractive environment in which to set the new homes"
- the precise area of the proposed land disposal and the inclusion in the agreement between the Council and the developer of areas identified in the report to Cabinet on 15 February as "adjoining" and "adjacent" open space
- the legal definition of public open space and the process for the disposal of public open space by local authorities
- the implications for this disposal of provisions within the Local Government Act 1972 and the Localism Act 2011 concerning the disposal of public open space and, in particular, any moratorium that the Secretary of State might have introduced restricting open space disposals
- the alleged risk of the project becoming financially unviable if there is delay in concluding an agreement for disposal and the risk of potential compensation in the event of a change in the Political Administration of the Council following the May 2012 Elections and the new Administration terminating the agreement
- the financial implications for the project of outstanding technical surveys, including ecology, flood and transport assessments

- the detail of, and parties to, the “agreement” referred to in the response from Haboakus, attached as Appendix 1 to the Cabinet report

Councillor Moffatt moved a motion that the Cabinet decision to instruct officers to proceed to agreement for the disposal of the site be referred back for further consideration on the grounds that provisions within the Local Government Act 1972 and the Localism Act 2011 concerning the advertising and subsequent implementation of such decision had not been met. The motion was voted on and declared lost. Councillors Moffatt and Small asked that their votes in support of the motion be recorded in the minutes.

It was agreed that information requested by individual members during the course of the Committee’s consideration of this item should be forwarded to the Committee Clerk for distribution to Scrutiny Committee members.

Resolved – (1) That it be noted that, with the agreement of the Leader of the Council, as Chair of Cabinet, Minute 114 of the Cabinet, presented to the meeting in draft form, would be amended to read that the Director of Law and Democratic Services be “instructed” to take the necessary action.

(2) That Minute 114 of the Cabinet be noted.

#### **151. Swindon PFI Schools - Update & Progress**

The Committee received a report of the Director, Access and Provision, on the subject of the Swindon Schools Private Finance Initiative project.

The Director, Access and Provision, introduced the report, advising that, in response to the requirement of Promise 28, the project had successfully delivered the opening of seven schools, ahead of schedule, that had replaced poor existing accommodation and had helped to meet the identified demand for additional school places in the north of borough. He remarked on the Council’s successful working with schools and with the PFI provider and the confirmation from a recent internal audit report that the Council’s management of the PFI contract was operating satisfactorily. He continued, outlining the major challenges that had been addressed in the initial years of the contract, particularly in relation to the equipping of schools to ensure delivery of the national curriculum and to address health and safety issues, and expanded on continuing work to address outstanding concerns. The Director concluded his presentation of the report by briefly outlining the changes to be made to the management of the contract under the Council’s new “Stronger Together” organisational arrangements.

Following the introduction of the report, members were invited to put questions to Councillor David Renard, Cabinet Member for Children’s Services, and to the Director, Access and Provision. Issues raised by members included:

- the exact nature of the ongoing challenges to the success of the PFI contract, referred to by the Director in his presentation of the report
- the “community focus” of schools and the better use of PFI schools as community assets
- the potential difficulties and issues associated with a PFI school choosing to pursue Academy status and the likelihood of any primary schools seeking Academy status

- the maintenance contract in relation to PFI schools
- the structuring of the PFI contract and the loan debt and the potential for “refinancing” gains
- the Council’s assessment of the “PFI experience”, school place planning and options for the future delivery of schools
- the Council’s vision that the new facilities would be used by the community outside core hours and the use of contributions from the Haydon Sector Section 106 agreement to provide such community facilities
- the original determination of use of the PS7 site and the subsequent development of the Oakhurst Primary School on that site
- the let of community space at the Isambard School and the pricing structure for lets
- the process for the “PFI Top-Up”, referred to in the report

Resolved – (1) That the report be noted and that the Cabinet Member for Children’s Services and the Director, Access and Provision, and other supporting officers, be thanked for their presentation of the report and for their full and open responses to members’ questions on the issues raised.

(2) That this Committee would wish to continue to monitor the PFI schools project and asks the officers to submit an interim progress report during the course of the 2012/13 Municipal Year with a further performance assessment report to be presented to the Committee in 12 months’ time. That the performance assessment report include feedback from Headteachers on contract issues and the performance of the PFI provider and that a representative of Education Support (Swindon) Ltd (ES(S)L) be invited to attend the meeting at which the performance report is considered.

## **152. Question and Answer Session - Cabinet Member for Regeneration and Culture**

Councillor Garry Perkins, Deputy Leader of the Council and Cabinet Member for Regeneration and Culture, was in attendance. Following a position statement in which he summarised performance in respect of the various service areas within his portfolio of responsibility, including his assessment of what he felt had been done well, what might have been done differently and the challenges facing his portfolio, Councillor Perkins responded to members’ specific questions and observations on the following issues:

- the Post Office’s decision not to pursue the establishment of a Post Office Museum in Swindon and the implications of that decision for the future usage of the listed chain testing workshop building
- the refresh and future of Apsley House and progress towards establishing a new “fit for purpose” art gallery and museum that would be “commensurate with a town the size of Swindon”
- engagement with the Science Museum
- the feasibility of the suggestion put forward by the Mechanics Trust that a museum might be located in Sheperd Street, utilising the old bike sheds and the British Rail Great Western buildings and establishing a connection between the town centre and the other side of the railway line
- the marketing of Swindon’s Cultural Heritage via the Big Arts Day
- the date of the next Big Arts day (14<sup>th</sup> July 2012)

- the current culture management structure and the proposed new management structure under “Stronger Together”
- the adoption of the “Swindon Has Heritage” Strategy and the level of consultation to be undertaken in support of the strategy
- the role and responsibilities of the National Arts Council
- progress in relation to previous conversations with the Cabinet Member about “the opening of upstairs” at the STEAM Museum and “putting in a “Brief Encounter” café”
- the impact of the completed infrastructure improvements at Whalebridge

It was agreed that information requested by members during the course of the Committee’s consideration of this item be forwarded to members via the Committee Clerk.

Resolved – That Councillor Garry Perkins, Deputy Leader of the Council and Cabinet Member for Regeneration and Culture, be thanked for attending the meeting and for his full and open responses to members' questions on service areas and issues within the Cabinet Member’s portfolio of responsibility.

### **153. Great Western Franchise Scrutiny Consultation Exercise**

Further to Minute 131, the Committee received a report on the outcome of the public consultation exercise initiated by the Scrutiny Committee in support of the Department for Transport’s own consultation in relation to the Great Western franchise replacement.

Resolved – (1) That the report be noted.

(2) That it be further noted that the summary of consultation responses circulated at the meeting would be included in the Council’s formal response to the Department for Transport’s consultation document.

### SCRUTINY COMMITTEE

WEDNESDAY, 6 JUNE 2012

PRESENT:- Councillors Kevin Small (Chair), Peter Heaton-Jones (Vice-Chair), Toby Elliott, Claire Ellis, Brian Ford, Richard Hurley, Colin Lovell, Des Moffatt, Maureen Penny, James Robbins and David Wood

Councillors Roderick Bluh, Leader of the Council and Chair of Cabinet, David Renard, Deputy Leader of the Council and Cabinet Member for Children's Services, Mark Edwards, Cabinet Member for Finance, and Russell Holland, Cabinet Member for One Swindon, Localities and Housing, were also in attendance.

An apology for absence was received from Councillor John Ballman

#### 1. **Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

#### 2. **Public Question Time**

No public questions were asked.

#### 3. **Minutes**

Resolved – That the minutes of the meetings held on 12<sup>th</sup> and 26<sup>th</sup> March be confirmed and signed as a correct record.

#### 4. **Presentation by the Leader of the Council**

In accordance with the Council's Constitution, Councillor Roderick Bluh, the Leader of the Council, attended this first meeting of the Scrutiny Committee in the Municipal Year 2012/13 to report to the Committee on the Council's performance in 2011/12, particularly in relation to delivery against the Administration's specific priorities and targets, and on the Cabinet's plans and priorities for 2012/13 and beyond.

Councillor Bluh introduced his report, placing it in the context of a continuing challenging economic and financial situation and summarising outcomes in 2011/12 and priorities for the year ahead in relation to each of the four One Swindon themes (set out in the report), the "Stronger Together" organisational restructure and the financial management of the Council.

Following his presentation of the report, members were given the opportunity to put questions to the Leader of the Council. Issues raised by members included:

- the Leader's view of the role of overview and scrutiny in the Council's decision making and policy development framework and its involvement in the furtherance of One Swindon objectives
- policy development specific to the rural areas
- the mechanism for Overview and Scrutiny's contribution to policy development

- the involvement of Cabinet Members in the development of Overview and Scrutiny work programmes
- the anticipated nature of the future working relationship between the Council and the new Police and Crime Commissioner, to be appointed in November 2012
  - the achievement of a correct balance between rural and urban policing arrangements
- work to improve the major gateways to the town, particularly in relation to poorly maintained and redundant signage
- the Council's duty to protect vulnerable members of the community, the increased emphasis towards independent living and the lack of provision of new sheltered accommodation
- the level of cross-party working in relation to policy development
- the increasing levels of expenditure on litter collection and the reduced resources available to combat fly tipping
- the effectiveness of the Core Strategy as the main strategic document for the future development of the "Greater Swindon" area
- the Council's proposals to create new jobs locally, particularly for young people
- the future of the "old College" on Victoria Hill
- the Council's consideration of a permanent commemoration of the Queen's Diamond Jubilee
- the "Stronger Together" restructuring and the availability of detailed information for members regarding appropriate officer contacts
- media reports regarding the Chief Executive's voluntary pay limitation
- the funding of proposed improvements to the appearance of Commercial Road and the timescale for the improvements
  - the implications for the redevelopment of Granville Street
- the lobby for fairer rail ticket prices for journeys to and from Swindon and the recognition of Scrutiny's role in lobbying for a changed fare structure
- the planning and consultation processes in relation to the Croft School site and lessons learned that might be applied to the proposed new town centre school development
  - the likely effect of controversy around the Croft School decision on admissions
- the future of the Health Hydro and the retention of the swimming baths
- the role of the Locality Leads, the devolution of budgets to localities and the precise nature of the relationship between Ward Councillors and Locality Leads
- the Scrutiny review of the operation and decision making processes of the localities
- the sub-contracting of work by Swindon Commercial Services

The Chair thanked Councillor Bluh for his informative presentation and for his full and open responses to members' questions.

## **5. Work Programme 2012/13**

The Committee considered a report of the Director of Law and Democratic Services on the results of the 2012/13 Overview and Scrutiny work programme consultation exercise and inviting the Committee to agree a rolling work programme for the

Scrutiny Committee for 2012/13, taking into account the issues raised in the Leader of the Council's presentation to this meeting, the results of the consultation exercise and presentations by the Cabinet Members for Finance and One Swindon on their own identified priorities for the year.

Resolved – (1) That, subject to the minor amendments to the programming of items referred to during the debate of this item, the draft work programme 2012/13, tabled at the meeting, be approved.

(2) That it be noted that the approved work programme is necessarily flexible in order to accommodate any issues arising, or changes in priorities, over the period of the year.

(3) That it be noted that a report on the establishment of a "Localities Sub-Group" of the Scrutiny Committee, to consider the decision making processes of the various Localities, and the appointment of members to that Sub group and the Budget Working Group would be considered at the next meeting of the Committee.

(4) That the following review topics, identified by Councillor Moffatt, be referred to the appropriate Overview and Scrutiny Chairs for consideration for inclusion in their respective work programmes for 2012/13:

- Capital Provision for schools
- Use of the Housing Revenue Account and Housing rent Account to address the current housing crisis.

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**SCRUTINY COMMITTEE**

**THURSDAY, 14 JUNE 2012**

PRESENT:- Councillors Kevin Small (Chair), Peter Heaton-Jones (Vice-Chair), John Ballman, Toby Elliott, Claire Ellis, Brian Ford, Richard Hurley, Colin Lovell, Des Moffatt and Robert Wright

Councillors Roderick Bluh, Leader of the Council and Chair of Cabinet, David Renard, Deputy Leader of the Council and Cabinet Member for Children's Services, , Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, and Garry Perkins, Cabinet Member for Regeneration and Culture, were in attendance.

An apology for absence was received from Councillor Maureen Penny

**6. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

**7. Public Question Time**

No questions were asked under Standing Order 18.

**8. Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 11 June 2012.

**5. *Site at Gorse Hill, Swindon***

Resolved - That Minute 5 of the Cabinet be noted.

**6. *Revenue Budget Out-turn report and wider financial position***

The Leader of the Council and the Director of Law and Democratic Services, responded to a query by Councillor Bob Wright regarding the report author's reasons, and decision, not to produce a Diversity Impact Assessment for this report. Councillor Wright accepted the comments made but indicated that he would pursue his concern outside the meeting.

The Leader of the Council and Councillor David Renard, the Cabinet Member for Children's Services, responded to questions put by Councillor Des Moffatt regarding the budget strategy for the long-term delivery of adult care services and adult care facilities.

The Chair referred to the Plas Pencelli facility and the decision that the Cabinet Member for Children's Services be authorised to agree financial matters relating to the facility without apparent reference to the Management Board. The Cabinet Member accepted the Chair's comment and agreed that such decisions should be taken in consultation with the Management Board.

Resolved – That Minute 6 of the Cabinet be noted, subject to the requirement, agreed by the Cabinet Member at this meeting, that the Management Board of the Plas Pencelli facility be consulted prior to decisions being made by the Cabinet Member for Children’s Services regarding financial matters relating to the facility.

7. *Public Health Transition Plan for Swindon*

In response to comments by Councillor Peter Heaton Jones, the Leader of the Council agreed that, for clarity, the draft Cabinet Minute be amended to make reference to the specific public health responsibilities that would transfer to the Council (these as set out in paragraph 3.6 of the Cabinet report).

The Leader of the Council also responded to questions by Councillor Heaton Jones and the Chair regarding (i) the composition of the Public Health Transition Board and the role of the Health and Well-Being Board in relation to the transition, and (ii) the minimisation of financial risk to the Council as a result of the transition.

Resolved - That Minute 7 of the Cabinet be noted.

8. *Wiltshire and Swindon Aggregate Minerals Site Allocations development Plan Document*

Resolved - That Minute 8 of the Cabinet be noted.

9. *References from other council bodies*

Resolved - That Minute 9 of the Cabinet be noted.

10. *Proposed redevelopment of Dorcan House/Eldene Shopping Centre*

The Leader of the Council responded to a question put by Councillor Bob Wright regarding the level of involvement of the Swindon Federation of Small Businesses in the development of this and similar proposals for new retail developments.

Resolved - That Minute 10 of the Cabinet be noted.

9. **Appointment of Scrutiny Localities Sub Group**

Further to Minute 5, the Committee considered a proposal that a Sub-Committee of the Scrutiny Committee be established to “fulfil all the functions of the Scrutiny Committee as they relate to the decision making process and the operation of the Localities within the Borough of Swindon”. The proposed terms of reference of the proposed Sub-Committee were tabled at the meeting.

Resolved – (1) That a “Localities Scrutiny Sub-Committee” comprised of 4 Scrutiny Committee members (2 x Conservative Councillors and 2 x Labour Councillors), and such other non-voting co-opted members as may be agreed by the Scrutiny Committee, be established and that the proposed terms of reference of the Sub-Committee, tabled at the meeting and attached at Appendix 1 to these minutes, be agreed.

(2) That Conservative Councillors Toby Elliott and Richard Hurley and Labour Councillors James Robbins and Bob Wright be appointed to the Sub-Committee.

(3) That a schedule of meetings for the new Sub-Committee be determined by the officers and circulated to all members for information.

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**HEALTH OVERVIEW AND SCRUTINY COMMITTEE**

**WEDNESDAY, 13 JUNE 2012**

PRESENT:- Councillors Claire Ellis (Chair), Ray Ballman (Vice-Chair), Steve Allsopp, Alan Bishop, Wayne Crabbe, Brian Ford, John Haines, Richard Hurley, Derique Montaut, Maureen Penny, Ann Richards, Rochelle Russell and Julie Wright.

Councillor Keith Williams, Cabinet Member for Leisure and Strategic Transport, Jill Crook (NHS Gloucestershire and Swindon), Michael Barnes (NHS Swindon), Sue Wald (Swindon Borough Council), Jose Ortega (Swindon Borough Council), Nerissa Vaughan (GWH NHS Foundation Trust), Jan Trethewey (SEQOL), Mike Relph (AWP), Kevin Connor (AWP) and Jo Osorio (Swindon LINK),

**1. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

**2. Chair's Introductory Remarks**

The Chair welcomed members and health colleagues to this, the first meeting of the Health Overview and Scrutiny Committee of the 2012/13 Municipal Year. She congratulated all members on their success in the recent Local Government elections and wished them every success in their term of office, particularly in their support of the Council's Health Overview and Scrutiny function. At the request of the Chair, for the benefit of members, senior colleagues representing the various health partners in attendance were given the opportunity to address the meeting on the role of the particular organisation and to advise on priorities for the coming year. Councillor Keith Williams, the Cabinet Member for Leisure and Strategic Transport, was also invited to address the meeting on the details of his portfolio of responsibilities and his agreed priorities for the year ahead.

**3. Public Question Time**

No questions were asked under Standing Order 18.

**4. Minutes**

Resolved - That the minutes of the meeting held on 29<sup>th</sup> February 2012 be confirmed and signed.

**5. Chief Executive's Report - Great Western Hospitals NHS Foundation Trust**

The Committee received a report of the Chief Executive of the GWH NHS Foundation Trust on key issues and developments at the Hospital. The Chief Executive introduced the report, highlighting matters of particular significance, and responded to members questions and observations on the following issues:

- the success of the Trust in being named as one of the top three performing Acute Trusts in the region
- the current position regarding the resolution of the on-going dispute between the GMB Union and Carillion
- the review of the revised car parking at the hospital, particularly as it relates to staff parking
- measures taken, and proposed to be taken, to eliminate the hospital's reliance on extra bed spaces

Resolved – (1) That the report be noted.

(2) That the achievement of the Trust in being named as one of the top three performing Acute Trusts in the region be recognised and that the Committee's congratulations on this achievement be passed on to the staff at the hospital.

(3) That it be noted that the outcome of the review of car parking arrangements at the hospital would be presented to a future meeting of the Committee.

## **6. NHS Swindon Chief Executive's Report**

Jill Crook, Director NHS Gloucestershire and Swindon, presented a report of the Chief Executive, NHS Swindon, on current activity within NHS Swindon.

Resolved – That the report be noted.

## **7. Swindon Local Involvement Network Workplan 2012/13**

The Committee received a report of the Board Director, Commissioning, setting out the details of major areas of work to be undertaken by the Local Involvement Network (Link) support team during the remainder of 2012/13. Mark Feeny, the Council's Contract and Commissioning Officer, introduced the report, highlighting the Link's priorities and work programme for the period until March 2013. Mr Feeny provided the meeting with some background about the role of the Link in involving the local community in the planning and operation of health and adult care services and the Council's role in commissioning a HOST organisation to support the Link. It was noted that the Link would cease to operate by the end of March 2013, at which time it would be replaced by "Healthwatch Swindon", commissioned by the Council.

Resolved – (1) That the report be noted.

(2) That updates be provided over the course of the year advising on the performance of the Link in relation to its various priority activities, as identified in the report.

## **8. Work Programme 2012-2013**

The Committee considered a report of the Director of Law and Democratic Services on the results of the 2012/13 Overview and Scrutiny work programme consultation exercise and NHS Swindon priorities and inviting the Committee to agree a rolling work programme for the Scrutiny Committee for 2012/13.

Sally Smith, the Council's Scrutiny Officer supporting the Health Overview and Scrutiny Committee, introduced the report, commenting on the development and content of the draft work programme and explaining that the work programme was necessarily flexible to allow the Committee to respond to issues that might arise during the course of the year. Members and health colleagues were invited to consider the draft work programme and to suggest health issues that they wished to

see added to the programme, taking into consideration:

- the workload of the Committee and of individual members
- the capacity of the Scrutiny Unit and other officers to support a review
- the resource implications of carrying out a review
- the timescales for a review
- the most appropriate method of carrying out a review e.g. Committee meeting, Task Group, Member Champion review

Councillor Bob Wright was in attendance and suggested the following topics for inclusion in the Committee's work programme:

- health and well-being issues in relation to House in Multiple Occupation (HIMOs)
- the health implications of proposed changes to the benefits structure
- poverty and food shortages within the local Somalian community in the Central Ward area

Other issues suggested by members for inclusion in the work programme included:

- the health implications of long-term unemployment
- Health and Wellbeing and benchmarking against pilot studies undertaken by other organisations and bodies
- the extent of the monitoring role of the Care Quality Commission in Swindon
- the use of alternative medicines
- dignity in care and standards in local private sector care facilities
- post natal depression and support services
- the impact on health services of drink and drugs related health problems
- "Legal highs" and medical treatment

Resolved – (1) That the results of the 2012/13 Overview and Scrutiny work programme consultation exercise be noted.

(2) That the content of the draft work programme 2012/12, appended to the report, be approved, subject to changes in scheduling identified during the Committee's consideration of the report and the inclusion of the review topics suggested by members.

(3) That Councillors Ray Ballman, Ann Richards, Rochelle Russell and Julie Wright be appointed to serve on the Committee's Dignity in Care/Private Sector Care Homes Task Group, to report back to the Committee in January 2013.

(4) That a Question and Answer session with Councillor Keith Williams, Cabinet Member for Leisure and Strategic Transport, be scheduled as part of the Committee's work programme for 2012/13.

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**CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE**

**WEDNESDAY, 14 MARCH 2012**

PRESENT:- Councillors Eric Shaw (Chair), Fay Howard (Vice-Chair), Paul Baker, Rex Barnett, Andrew Bennett, Michael Bray and Nicky Sewell.

Co-opted Representatives: - Peter Crockett (Association of Swindon Special School Headteachers), Mrs Penny Summers (Standing Advisory Council on Religious Education), Peter Wells (Catholic Church Diocese), Rachael Matthey (Swindon Association of Secondary Headteacher) and Sam Cantlon (Swindon Youth Forum)

Apologies for absence were received from Councillors Doreen Dart, Raymond Fisher, Mary Martin and Councillor Ellen Osa, Malcolm Barton (Church of England Diocese) and Dick Mattick (National Association of Schoolmasters and Union of Women Teachers).

Councillors Mavis Childs and Peter Stoddart were also in attendance.

**38. Declarations of Interest.**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**39. Minutes.**

Resolved – That the minutes of the meeting held on 18<sup>th</sup> January 2012, be confirmed and signed as a correct record.

Matters Arising

Minute No. 36 - The Chair asked that the creation of a working group to consider Early Years Provision be considered for inclusion within this Committee's work programme for 2012/13.

**40. Public Question Time.**

The following questions were asked in accordance with Standing Order 28:-

Questioner

Mr Paul Sunners – Swindon Resident

Questions

1. To assist meaningful analysis and awareness at the level of the individual young person, how many young people were not engaged in education, employment and training in December 2011 and January 2012?
2. Based on the assumption that there is value in any statistical data/analysis: could this committee consider locally-specific data being presented in numerical and percentage forms aided where necessary by diagrammatic

representations?

3. What is the status of Nyland as an educational establishment in light of its reference in this report to Nyland Campus when information referring to its application for Academy status refers to Nyland Special School?
4. The current Out of Borough placement figure (56) represents a 14.2% increase in the OOB figure (49) given at the Swindon Children Trust Board meeting held on 31<sup>st</sup> March 2011 – the immediate projection figures for OOB placements (5) would see this increase rise to 24.4%. What implications does this have for the OOB placement budget 2012/13 and beyond?
5. The Swindon Children Trust Board and Local Safeguarding Children Board are each led by what is referred to specifically, as an Independent Chair. Is information available that defines the term 'independent' as it relates to these positions?

### Response

The Chair responded that a written response to these questions would be forwarded on to Mr Sunners.

## **41. Performance Report.**

Sue Wald (Director of Strategy and Commissioning) presented the Children Services Performance report to the end of December 2011, including updates for January 2012. She explained that the information was presented either as a number or a percentage depending upon how the information was required to be presented nationally. There had been an increase in the number of children coming into care recently and work was currently being undertaken to find out why this upward trend was occurring.

In response to a query from Councillor Childs, Ms. Wald confirmed that reasons had been given as to why all children had been taken into care but that not all the reasons had been recorded within the data submitted. She confirmed that these reasons would be recorded and that clearer statements would be made in any data provided in the future. A small number of children in care had been allocated a non-qualified worker and work was being undertaken to ensure that they would be moved to a qualified social worker. The number of children in care was at its highest for four years and had occurred in a relatively short period of time. Officers were currently monitoring this data to ascertain whether this trend was likely to continue.

The Chair asked why up to 30% of children left school with low levels of reading and writing whereas assessments at Key Stages 1 and 2 would indicate that this would not be the case. Paddy Bradley (Director, Schools and Learning) responded that the model was not set up to transfer skills at the different levels between Primary and Secondary Schools and that work was being undertaken at a national level to drive forward more of a reliance upon coursework for GCSE's, rather than qualifications.

Peter Wells (Catholic Church Diocese) asked whether there was any duplication in reporting the same information to the Swindon Local Safeguarding Children Board, the Section 75 Performance Group, the Children's Joint

Commissioning Board and the Swindon Children's Trust Board. Ms. Wald confirmed that there was some duplication, particularly in relation to integrated working, although each Committee had different terms of reference and therefore focussed upon specific issues relevant to that body.

Data relating to free school meals was based upon eligibility rather than actual take-up and it was confirmed that the threshold for claiming was quite low. Schools handled this issue very sensitively as it was not just about the child having a free school meal but about the other resources that the school could attract through take-up.

Resolved – (1) That the Children and Young People's Overview and Scrutiny Committee note the performance updates in Children's Services to the end of January 2012.

(2) That future reports contain information in both numerical and percentage format.

#### **42. Revenue Monitoring Position.**

Steve Haley (Group Finance Manager, Children's Services) presented the latest projected outturn position on Core funded, Dedicated Schools Grant funded and Section 75 PCT funded Children Services 2011/12 revenue budgets.

All three budgets were projected a net underspend based on the position at the end of January 2012 and the overall budgetary position of the Children's Services Group Directorate was routinely monitored by the Children's Services Leadership Team, Corporate Board and Cabinet. The Children's Social Care placements budget had been relatively stable over the last two years but a recent increase in the number of children in care could have significant financial implications for the Council if this trend was to continue and this position was being carefully monitored.

In response to a query regarding Out of Borough Placements, Ms. Wald reported that consideration had been given to the Council operating its own residential units but that it was currently more cost effective to place children out of the Borough. It was agreed that an Out of Borough Placement task group should be considered as part of next year's work programme.

Mr. Haley circulated copies of a graph depicting the demand for children in care during 2010/11. All children were assessed to ensure that the provision was right for their individual needs and a multi-agency panel would decide whether a child needed to be moved out of Borough if their needs became too complex to be met within the Borough.

Resolved – (1) That the Children and Young People's Overview and Scrutiny Committee note the projected outturn position on Core funded, Dedicated Schools Grant funded and Section 75 PCT funded children services 2011/12 revenue budgets.

(2) That consideration be given to the establishment of an Out of Borough Task Group as part of this Committee's work programme for 2012/13.

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**ECONOMIC, ENVIRONMENTAL AND SUSTAINABILITY OVERVIEW AND  
SCRUTINY COMMITTEE**

**THURSDAY, 22 MARCH 2012**

PRESENT:- Councillors Peter Heaton-Jones (Chair), Mark Dempsey (Vice-Chair), Junab Ali, Mike Bawden, Sinead Darker, Emma Faramarzi, Richard Hurley, Anthony Peake, Vera Tomlinson and Steve Wakefield.

An apology for absence was received from Councillor Stan Pajak.

**27. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**28. Minutes**

Resolved – That the minutes of the meeting held on 26<sup>th</sup> January 2012, be confirmed and signed as a correct record.

**Matters Arising**

Regeneration report – the Chair advised that this would be circulated to Members once it had been completed and would be submitted to the Cabinet in the next Municipal Year.

Recycling – the Chair advised that Cabinet had requested a full report on recycling. Members of the Committee welcomed the report to Cabinet and recommended that this Committee should consider recycling as part of their 2012/13 work programme.

Up-adopted back alleys – the chair reported that Councillor Pajak had appeared in the Evening Advertiser but, in Councillor Pajak's absence, was unsure as to what progress had been made. The Chair asked that Councillor Pajak pursue this issue if he was to be a Member of this Committee during the 2012/13 Municipal Year.

**29. Public Question Time**

No public questions were received during the meeting.

**30. Inward Investment**

The Chair explained that this was the second meeting of this Committee to take evidence on the topic of Inward Investment and thanked all those Members who had submitted their views following the last meeting. A number of guests had been invited to attend this meeting to participate in a question and answer session relating to Inward Investment and the Chair welcomed them to the meeting and asked them for their views on Inward Investment in Swindon.

Nicky Alberry (Chair of Influence, formerly Swindon Strategic Economic Partnership)

Nicky explained that Economic Partnerships had been set up 5/6 years ago and that targets were established within Local Area Agreements. Swindon Borough Council had attracted additional funding through meeting its targets and had agreed that this money should be spent on economic development. Responsibilities had changed over the last 12 months and Local Enterprise Partnerships (LEP's) were set up in 2011 to re-focus activity on bringing all agencies together to ensure that work was undertaken collectively. The role of Influence was to work with public sector agencies to create a better economic environment for the town and to work with Forward Swindon as the principle agency for economic development.

#### Ian Piper (Forward Swindon)

Ian gave a brief presentation outlining how Forward Swindon would measure its success in attracting new business into Swindon. It was envisaged that the promotion of the campaign and the development of the Business Investment Service would increase the number of enquiries and ultimately improve the success rates. Some of the campaign measures included improving awareness of Swindon and developing local business advocates.

#### James Lockhart (Whitmarsh Lockhart, Commercial Agents)

James reported that his role has been to market property to buyers and that networking and liaising with other agents helps to create a market place. He added that in the 1980's, a number of big enquiries would come into the town on a regular basis but that he had received just the one recently. Whilst Swindon could be described as a tired, lacklustre town, James described it as diamond covered in dust and added that Forward Swindon had a major role in increasing positive awareness of Swindon. As a member of the Board of Forward Swindon, James reported that the newly advertised post of Inward Investment Director would be absolutely vital in proactively selling the town.

#### Peter Bearfoot (Alder King, Commercial Agents)

Peter stated that he had come to Swindon in 1979 and had dealt with companies of all different sizes. He added that Swindon Borough Council had a significant role to play with some companies, but not all, and that the skill sets needed to be available should they be required. He felt that Inward Investment centred around the availability of land for development and that this needed to be addressed and made publicly available.

#### James Gregory (Alder King, Commercial Agents)

James agreed with the comments already made and added that there was a definite need for ambassadors within the town and that everyone needed to work together to achieve the end goal and in making it clear that Swindon was 'open for business'.

#### Giles Weir (Lang La Salle, Commercial Agents)

Giles stated that any investment depended upon people's perception of the town and that he would like to see better integration with the commercial agents as this was where initial enquiries usually commenced.

In response to questions from Members of the Committee, the following issues were raised:-

- The requirement for top flight place marketing in order to change the perceived image of Swindon. This has to be led by Swindon Borough Council, through Forward Swindon. This would take a while to implement but there was a lot of good will and effort put in by the business community in promoting the town.
- The perception survey undertaken by Forward Swindon indicated that that there was not a lot of negativity about Swindon but more a lack of knowledge about the town. There was therefore a need to promote positive messages about the town.
- Good opportunity to come together and support the Forward Swindon campaign. More could be achieved by pooling resources and working together to sell the town.
- The potential success of the Oasis development would have a significant impact upon Inward Investment into the town.
- Need to focus upon growing businesses such as the automotive sector and distribution.
- Better communication between Planning Officers and Commercial Agents has enabled progress to be made and agents have been involved in the core strategy process. Those agents present stated that they would not have attended this type of meeting 12 months ago but now felt that things were moving forward and that they were very much involved in this process.
- The formation of Forward Swindon as an interface between the private sector and the Council was an essential conduit that had been missing for a number of years.
- Limited resources were now being deployed quite sensibly.
- Mixed messages regarding a particular development area can have negative consequences and the press also have a role to play in changing people's perceptions of Swindon.
- There was a need for a clear vision for the town and it was important to move forward together. There were areas for promotion that would not cost too much, such as the public realm.
- The South West Investment Group meet regularly to look at market trends and Forward Swindon can help to bridge the gap between the agents and the Council in assisting in areas such as the planning process.
- There was currently no major site available for development thereby reducing any chance of success. There was a need for a range and different sizes of sites available in order to entertain more enquiries. A potential occupier requires deliverability, not hurdles.
- The Forward Swindon campaign was to be launched in the next few weeks and it was important that all agencies supported this campaign.

Resolved – (1) That those representatives present be thanked for attending the meeting and responding to questions from Members of the Committee.

(2) That the Economic, Environmental and Sustainability Overview and Scrutiny Committee be recommended to continue to work on Inward Investment with a view to completing a full report as part of their work programme for 2012/13.

(3) The Chair thanked the Members and Officers for their support and input over the last year.

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**SAFER AND STRONGER COMMUNITIES OVERVIEW AND SCRUTINY  
COMMITTEE**

**TUESDAY, 27 MARCH 2012**

PRESENT:- Councillors Kevin Parry (Chair), Robert Wright (Vice-Chair), Mavis Childs, Rochelle Russell and Peter Stoddart

Apologies for absence were received from Councillors Wayne Crabbe.

**63. Declarations of Interest**

There were no declarations of interest.

**64. Public Question Time**

There were no public questions.

**65. Response from Lead Member - Domestic Violence**

The Cabinet Member for Customer Services and a Safer & Stronger Borough, Councillor Lovell, submitted a report concerning his response to this Committee's review into Tackling Domestic Abuse, as recommended by Cabinet at its meeting on the 19<sup>th</sup> October 2011.

Councillor Lovell took the Committee through the main areas highlighted in his report, together with the recommendations.

Some members of the Committee and Attendees related their personal experiences with Domestic Violence.

Resolved – (1) That the report be noted and Councillor Lovell be thanked for his attendance.

(2) That this Committee continue to keep Domestic Abuse as a high profile.

(3) That the Lead Member be invited to a future meeting of this Committee in at least six months' time.

**66. Anti-Social Behaviour - Housing (verbal)**

This item was withdrawn

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## **Section 3**

# **Regulatory Committee Minutes**

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**PLANNING COMMITTEE**

**TUESDAY, 13 MARCH 2012**

PRESENT: - Councillors Dale Heenan (Chair), Junab Ali, Andy Albinson, Steve Allsopp, Paul Baker, John Ballman, Fionuala Foley, Colin Lovell, Nicky Sewell, Kevin Parry and David Wren.

Apologies for absence were received from Councillors Vera Tomlinson, Alan Bishop and Doreen Dart.

**129. Declarations of Interest**

There were no declarations of interest

**130. Minutes**

Resolved – (1) That the minutes of the meeting held on 14<sup>th</sup> February 2012 , be confirmed and signed.

(2) That the Committee wish Councillor Bishop a speedy recovery from his recent illness.

**131. Public Question Time**

A.D. Goodenough, Stratton, provided the Committee with information from Network Rail concerning the Eastern Villages Development affecting the rail bridges between Swindon and Didcot.

Kevin Richards, Castle Eaton, asked what rights of re-dress local residents have if an application is granted over their objections.

The Chair and Kehinde Awojobi (Solicitor) responded at the meeting.

**132. Determination of Planning and Related Applications**

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Director of Planning and Transport;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The Additional Information Sheet circulated before the meeting;
- (e) Late representations contained in the 'Further Late Papers' circulated on the day of the meeting;
- (f) The comments of Councillor Wright in respect of application numbered S/12/233
- (g) The comments of Councillor Bawden in respect of applications numbered S/11/1294 and S/12/30
- (h) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
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S/11/1294 S/CAC/11/1296	Peter Lawson	Agent
	Graham Warren	Objector
S/12/30	Peter Lawson	Objector
	Graham Warren	Agent
S/11/1464 & S/11/CAC/1471	Howard Walters	Agent
	Tom Charnock	Stanton Fitzwarren PC
	Gary Stevens	The Old Rectory Stanton
S/11/554	Peter Mapson	Applicant
	Keith Richards	School Lane Castle Eaton
	Michael Theobald	

Resolved – (1) That permission to develop be granted in respect of the following applications, subject to the conditions listed in the Committee Report.

S/12/233, S/CAC/11/12976, S/11/CAC/1471 and S/LBC/12/106

(2) That permission be refused in respect of application numbered S/11/554 for the following reasons:

1. The proposal would lead to an inappropriate, backland development of an infill plot within a secondary rural settlement, contrary to Policies DS5, DS6, and H6 of the Swindon Borough Local Plan (2011).
2. The contrived and unsympathetic design represents an incongruous addition to School Lane, which fails to reflect the predominant built form of School Lane, contrary to Policies DS5, DS6, and H6 of the Swindon Borough Local Plan (2011) and the Swindon Backland and Infill Development Supplementary Planning Document.
3. The siting of the proposed dwelling known as “Plot 6”, by virtue of its close proximity and awkward relationship with “Barndown”, would have an overbearing impact on Barndown and would significantly reduce the daylight available to the private rear amenity area of Barndown, contrary to Policy DS6 of the Swindon Borough Local Plan (2011) and the Swindon Backland and Infill Development Supplementary Planning Document.

(3) That, in respect of application numbered S/11/1294; the Planning Officer corrected the Plan as shown attached to the report and that the Director of Planning and Transport be authorised to grant permission subject to a legal agreement being entered into to secure noise mitigation measures and a “claw back” of developer contributions should the development achieve a reasonable profit and the imposition of conditions that can be added, amended or omitted as appropriate. If by the 31st May 2012 the legal agreement is not completed the application may be refused under officers’ delegated authority for the following reason:

*The applicant has failed to enter into a legal agreement to secure adequate noise mitigation measures to safeguard the amenities of the future occupants of the development and to secure contributions to mitigate the impact of the development upon infrastructure in the event that it generates a reasonable profit. As such the*

*proposal is contrary to policies DS6 and DS8 of the Swindon Borough Local Plan 2011 (2006), policy DP2 of the Wiltshire and Swindon Structure Plan 2016 (2006) and the Council's adopted "Developer Contributions 2010 Update" Guidance Note (Nov, 2010).*

(4) That the Director of Planning and Transport be authorised to grant planning permission in respect of application numbered S/12/0030 subject to the conditions set out in the report and the hours of operation of the terrace, set out in condition number 9, being amended in accordance with the revised times of 0900 and 00:00 (Midnight) Sunday to Wednesday and 0900 and 0200 hours Thursday to Saturday.

(5) That the Director of Planning and Transport be authorised to grant Planning Permission in respect of application numbered S/11/1464 with conditions and subject to the delegated authority to conclude the detail of the drafting, and completion of a S106 legal agreement to secure the necessary infrastructure payments that are relevant and necessary as a result of this development.

### **133. Reference to Planning Committee - Standards Committee**

On consideration of Minute 18 of the Standards Committee concerning proposals to amend the Planning Code of Good Practice to bring it in line with the Localism Act 2011.

Resolved – That the minute be noted.

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**PLANNING COMMITTEE**

**TUESDAY, 17 APRIL 2012**

PRESENT: - Councillors Dale Heenan (Chair), Junab Ali, Steve Allsopp, Alan Bishop, Doreen Dart, Fionuala Foley, Brian Ford, Colin Lovell and David Wren.

Apologies for absence were received from Councillors Vera Tomlinson and Nicky Sewell.

**134. Declarations of Interest**

There were no declarations of interest

**135. Exempt Items - Exclusion of Press and Public**

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 they involve 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".

<u>Minute No.</u>	<u>Paragraph No.</u>
<b>140</b>	<b>1 and 2</b>

**136. Minutes**

Resolved – That the minutes of the meeting held on 13<sup>th</sup> March 2012 be confirmed and signed.

**137. Public Question Time**

Carole Bent, Marlborough Lane, asked a series of questions, including:

- 1) Is the Committee aware that the local planning authority has powers under the Town and Country planning Act 1990 to revoke a planning permission, in cases where information comes to light demonstrating that that the planning committee were ( whether intentionally or unintentionally) given misleading information that influenced their decision.
- 2) Please confirm what the criteria would be for the council to enact its powers in relation to revoking the Croft school Application? ( Planning Committee)
- 3) What formal opportunity would there be for a member of the public to provide evidence of misleading information.
- 4) Is it the duty of Councillors or Officers to uncover any misleading information?
- 5) What happens if it shown that a traffic assessment was provided with an incorrect catchment area

The Chair, Richard Bell and Kehinde Awojobi responded to all questions at the meeting.

Muriel Stirling, Old Town, asked what mitigations there were if a project was granted permission at full or not full capacity.

Kehinde Awojobi and Claire Cornelius responded at the meeting.

The Chair read a series of questions concerning the Local Plan from David Jones and The Chair, Richard Bell and Claire Cornelius responded at the meeting.

### **138. Determination of Planning and Related Applications**

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Director of Planning and Transport;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments of Councillor Wright in respect of application numbered S/11/1610

Resolved – (1) That, in respect of application numbered S/11/1610; (a) permission to develop be granted, subject to the conditions listed in the Committee Report, and the following amended condition:

#### Amended Condition:

2 No part of building shall be used as a social club outside the hours of 08:00am - 10:00pm Sunday to Thursday and 08:00am to 11:00pm Friday and Saturdays.

Reason: In the interest of residential amenity.

Relevant Policy: Swindon Local Plan 2011 DS6 (2006).

(b) That the Licencing Committee note that in considering any licencing requests for this property that gambling may be taking place on the premises.

(2) That permission to develop be granted in respect of application numbered S/11/1733 subject to the conditions set out in the Committee report and with the corrected plan (Rev D) inserted.

### **139. Planning Agreements**

The Director of Law and Democratic Services submitted a report concerning the current position in relation to Planning Agreements authorised by members, or by officers under delegated powers, which need to be completed before planning permission can be issued. The report also sets out details relating to Unilateral Planning Obligations (“Unilateral Undertakings”) accepted in lieu of Planning Agreements.

Resolved – That the report be noted.

### **140. Enforcement**

The Director of Law and Democratic Services submitted a report concerning the current position in relation to enforcement action authorised either by members or by officers under delegated powers.

Resolved – That the report be noted.

**PLANNING COMMITTEE**

**TUESDAY, 22 MAY 2012**

PRESENT: - Councillors Steve Allsopp, Paul Baker, John Ballman, Doreen Dart (Vice-Chair), Brian Ford, Colin Lovell (Chair), Nicky Sewell, Abdul Amin, Toby Elliott, Richard Hurley, Nick Martin, Teresa Page, Peter Watts and Keith Williams.

**141. Declarations of Interest**

Councillor Page made a declaration of interest in respect of application numbered S/TC/12/437. It was non-prejudicial and she spoke and voted on the application. Councillor Watts made a declaration of interest in respect of application numbered S/TC/12/437. He spoke with regard to the application and left the room during the voting thereon.

**142. Minutes**

Resolved – That the minutes of the meeting held on 17<sup>th</sup> April 2012 be confirmed and signed.

**143. Public Question Time**

Carole Bent, Marlborough Lane asked how would, if a piece of land is designated as a “Strategic Green Corridor” and is not identified for development, the Planning Officers change the designation of the land.

She asked a further question as to whether there was a term in Planning Law for “perverting the course of justice”

The Chair agreed that Officers would provide a written response to Mrs Bent’s questions.

Brian Cockbill, Stratton, asked whether the Planning Department had considered preserving any of the shells of old buildings in Old Town.

The Head of Planning undertook to provide a written response to Mr Cockbill.

**144. Determination of Planning and Related Applications**

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning,
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The Additional Information Sheet circulated before the meeting;
- (e) The comments of Councillor Bluh in respect of application numbered S/TIME/11/1272
- (f) The comments of Councillor Bob Wright in respect of application numbered S/LBC/12/246
- (g) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/TIME/11/1272	Lisa Hawkes Raymond Morse Carole Bent Steve Rosier Kareen Boyd	Swindon Civic Voice Croft Residents Association Old Town Agent Old Town
S/11/461	Peter Mapson Thomas Cuthell Mrs Cuthell Mike Thewell	Agent School Lane Castle Eaton School Lane Castle Eaton Castle Eaton
S/12/93	Gordon Wilson	Liddington Parish Council

Resolved – (1) That permission to develop be granted in respect of the following applications, subject to the conditions listed in the Committee Report, and the Additional Information Sheet circulated before the meeting.

S/12/93 and S/TC/12/437

(2) That, in respect of application numbered S/LBC/12/246; (a) consent be refused for the reasons set out in the Committee report, and (b) the Committee notes and welcomes the statements from the applicant and officers that discussions are taking place to seek an appropriate and acceptable scheme for the important and valuable listed buildings.

However, in the event that these discussions do not progress satisfactorily by the end of the summer, Officers are requested to give consideration to what actions may be necessary, (which may include investigation and surveys that could lead to an urgent works notice) in order to secure the protection of the remaining structure and walls so that they can be protected and secured for incorporation in any future scheme, regardless of when a scheme may come forward.

(3) That, in respect of application numbered S/TIME/11/1272; (a) the Committee would have refused permission had it been in a position to do so, for the reasons set out in the Committee report, as amended below, and (b) the Head of Planning be authorised to finalise the reasons for refusal.

Amended Reason:  
Delete Reason 2

(4) That, in respect of application numbered S/TIME/11/1273; the Committee would have refused permission had it been in a position to do so, for the reasons set out in the Committee report.

(5) That the Head of Planning be authorised to grant planning permission in respect of application numbered S/12/461 subject to the conditions set out in the agenda and any additional or amended conditions as may be appropriate and subject to the applicant entering into a S106 Legal Agreement to secure developer contributions to essential infrastructure. If by the 22nd August 2012 the legal agreement is not completed the application may be refused under officers' delegated authority for the following reason:

Reason:

The applicant has failed to secure the necessary developer contributions required as a direct consequence of the development. As such the proposal is contrary to Policy DP2 of the Wiltshire Structure Plan 2016, Policy DS8 of the Swindon Borough Local Plan 2011 (2006).

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**PLANNING COMMITTEE**

**TUESDAY, 12 JUNE 2012**

PRESENT: - Councillors Colin Lovell (Chair), Doreen Dart (Vice-Chair), Steve Allsopp, Abdul Amin, Toby Elliott, Brian Ford, Dale Heenan, Richard Hurley, Nick Martin, Teresa Page, Peter Watts and Keith Williams.

Apologies for absence were received from Councillors Paul Baker and Nicky Sewell.

**145. Declarations of Interest**

Councillors Page and Watts made non-prejudicial declarations of interest in respect of application numbered S/12/42 and stayed in the room and took part in the discussion and voting thereon.

Councillors Williams and Lovell made non-prejudicial declarations of interest in respect of application numbered S/11/1588 and stayed in the room and took part in the discussion and voting thereon.

**146. Minutes**

Resolved – That the minutes of the meeting held on 22<sup>nd</sup> May 2012, be confirmed and signed.

**147. Public Question Time**

Peter McSparron asked the following question:

Guidance on the Localism Act 2010 says the Act is designed to make the planning system clearer and more democratic. For some development the applicants are allowed to present to Councillors for extended periods plus the standard 5 minutes at the Planning Committee while residents/electors are generally restricted to only 10 minutes collectively. Can the Committee advise how this disparity in the time available to make direct representations meets the objectives of the Localism Act by being open and democratic?

The Head of Planning provided a written response to the question.

Brian Cockbill, Stratton, asked a series of questions concerning the Borough Councils Core Strategy framework document.

The Head of Planning responded at the meeting.

**148. Determination of Planning and Related Applications**

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning.

- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The Additional Information Sheet circulated before the meeting;
- (e) The comments of Councillors Faramarzi, Grant, Dempsey, Moffatt, Tomlinson, Heaton-Jones, Friend and Wakefield in respect of application numbered S/11/1588
- (f) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/11/1588	Des Dunlop	Agent
	Steph Excell	Haydon Wick PC
	Paul Excell	4 Southwald Close
	John Harnett	Cricklade Town Council
	Stuart Boyd	Blunsdon PC
	Michael Hughes	
	Kareen Boyd	Old Town
	Julian Cope	Oakhurst Swindon
	Richard Ball	
	Sarah Mcdermid	
	Peter Edwards	
	David Morrison	
	Terry Hunt	Rodbourne Cheney Res Assoc
S/12/0042	Tony Doyle	Agent

Resolved – That, in respect of application numbered S/11/1588: (1) the Head of Planning be authorised to grant outline planning permission under delegated authority and approve the means of access subject to:

(a) Completion of a legal agreement in consultation with the Chair & Vice Chair of the Planning Committee, and Northern Sector Councillors (St. Andrews and Priory Vale wards) and to secure planning obligations that are material to that decision; and

(b) The conditions set out in this report, with delegated authority to make reasonable amendments to those conditions before issuing formal consent as may be necessary.

(2) That if, by the 13 September 2012, the legal agreement and conditions have not been satisfactorily resolved, the Head of Planning may refuse planning permission for the following reason:

*The applicant has failed to enter into a legal agreement to secure the necessary infrastructure provision to mitigate the development. As such the proposal is contrary to policies DS8, T1 and T2 of the Swindon Borough Local Plan 2011 (2006), policy DP2 of the Wiltshire Structure Plan 2016 (2006), Developer Contributions: Development Control Guidance Note Update (2010) and policy DMP4 of the Swindon Borough Core Strategy and Development Management Policies 2026 Revised Proposed Submission Document (2010).*

(2) That permission be refused in respect of application numbered S/12/42 for the following reason:



The proposed development represents an overdevelopment of the site which results in a cramped form of development which would result in a poor level of amenity and outlook for the future occupiers of the dwellings and would be contrary to Policy DS6 in the Swindon Borough Local Plan 2011.

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**LICENSING COMMITTEE**

**TUESDAY, 20 MARCH 2012**

PRESENT:- Councillors Vera Tomlinson, Richard Hurley, Junab Ali, Rex Barnett, Michael Bray, Wayne Crabbe, Claire Ellis, Steve Wakefield and Robert Wright.

Apologies for absence were received from Councillors John Ballman, Andrew Bennett, Alan Bishop, Eric Shaw and David Wren.

**27. Minutes**

Resolved – That the minutes of the meeting held on 16<sup>th</sup> February 2012, be confirmed and signed.

**28. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**29. Public Question Time**

No public questions were received during the meeting.

**30. Draft Response to the Consultation concerning Area Sanctions under the Revised Licensing Act 2003**

The Council's Licensing Officer submitted a report setting out a draft response to Government proposals concerning Late Night Levy and Early Morning Restriction Orders.

Resolved – That, subject to the amendment of typographical errors, the draft response to the Government's proposals concerning Late Night Levy and Early Morning Restriction Orders be approved as the Council's response to the consultation.

**31. Mr. Lionel Starling**

The Chair reported that the Council's Licensing Officer, Mr. Lionel Starling, would be retiring on Thursday 3<sup>rd</sup> May, 2012.

Resolved – That the Committee's appreciation for the work on behalf of the Committee by Mr. Lionel Starling since 1994, together with the Committee's best wishes for his retirement, be formally recorded.

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**LICENSING COMMITTEE**

**FRIDAY, 18 MAY 2012**

**PRESENT:-** Councillors Junab Ali, John Ballman, Andrew Bennett, Alan Bishop, Wayne Crabbe, Doreen Dart, Claire Ellis, Emma Famarzi, Peter Heaton-Jones, Richard Hurley, Derique Montaut, Teresa Page, Steve Wakefield, Robert Wright and David Wood.

**1. Minutes**

Resolved – That the minutes of the meeting held on 20<sup>th</sup> March 2012, be confirmed and signed as a correct record.

**2. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**3. Public Question Time**

No public questions were received during the meeting.

**4. Local Government Act 1989 - Section 15: Political Balance Arrangements**

Resolved – That, further to Minute 13(2) of the Council, and having carried out a review under Section 15 of the Local Government and Housing Act 1989 this Committee continue to apply political balance arrangements under the Act.

**5. Appointment of Sub-Committees and Panel**

Resolved – (1) That an Ad Hoc Licensing Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2012/13” and comprising Councillors John Ballman, Alan Bishop, Andrew Bennett, Doreen Dart, Emma Famarzi, Teresa Page and Bob Wright.

(All Councillors serving on the Licensing Committee be appointed as substitutes to their respective political group.)

(2) That a Licensing Panel be appointed having the functions set out in the document “Swindon Council Constitution 2012/13” and comprising three Councillors to be drawn from Members of this Committee.

(3) That a Private Hire/Hackney Carriage Licensing Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2012/13” and comprising Councillors Junab Ali, Andrew Bennett, Doreen Dart, Emma Famarzi, Richard Hurley, Derique Montaut and Steve Wakefield.

(All Councillors serving on the Licensing Committee be appointed as substitutes to

their respective political group.)

**LICENSING PANEL**

**FRIDAY, 24 FEBRUARY 2012**

PRESENT:- Councillors Andrew Bennett, Vera Tomlinson and Steve Wakefield

**85. Appointment of Chair**

Resolved – That Councillor Andrew Bennett be Chair this meeting of the Panel.

(Councillor Bennett took the Chair.)

**86. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**87. Objection notice by the Police to a Temporary Event Notice - T.P.'s 16-17 Fleet Street, Swindon**

The Panel considered (a) a report of the Council's Licensing Officer setting out an application, by Wiltshire Constabulary, objecting to a temporary event notice for T.P.'s, 16-17 Fleet Street, for an event covering the period 01:00 hours on Saturday 2nd July until 04:00 Sunday 3<sup>rd</sup> July 2011, (b) representations by Wiltshire Constabulary in support of the objection, (c) the facts set out in the Licensing Officer's report, (d) the Council's procedure for licensing hearings, (e) verbal representations by the management of T.P.'s giving evidence in support of the application, (f) questions and answers to officers, representative of Wiltshire Constabulary and the applicant, and (g) the Licensing Objectives.

Resolved – Having carefully considering all representations in support of the objection, evidence from Wiltshire Constabulary and submissions on behalf of T.P.'s the Panel determined that the Temporary Event Notice covering the period 2:00am until 3:00am on Saturday March 3<sup>rd</sup> 2012 be granted.

Reasons

1. The Panel determined that there was no evidence that the Licensing Objectives, and in particular the Crime and Disorder Licensing Objective, would be undermined through the grant of a one hour Temporary Event Notice.

2. The Panel heard evidence from the management of T.P.'s as to the measures to be put into place to ensure the maintenance of the Licensing Objectives.

3. The Panel heard evidence regarding the later closing times of other licensed premises in the vicinity.

4. The Panel heard no evidence to suggest that the management of T.P.'s were not capable of managing the premises in an appropriate manner during the proposed one hour extension.

The Chair reminded the police that they had the right of appeal to the Magistrates Court and that an application for any such appeal should be made within 21 days of this determination and no later than five days before the scheduled event.



**LICENSING PANEL**

**FRIDAY, 23 MARCH 2012**

PRESENT:- Councillors Andrew Bennett, Wayne Crabbe, Vera Tomlinson and Andrew Bennett

An apology for absence was received from Councillor David Wood.

**88. Appointment of Chair**

Resolved – That Councillor Andrew Bennett Chair this meeting of the Panel.  
(Councillor Bennett took the Chair.)

**89. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**90. Minutes**

Resolved – That the minutes of the meeting held on 25<sup>th</sup> and 27<sup>th</sup> January, 3<sup>rd</sup>, 10<sup>th</sup> and 14<sup>th</sup> February 2012, be confirmed and signed.

**91. 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 in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 92 refers.)

**92. Application to transfer the premises licence and to nominate a designated premises supervisor for the premises known as 80 William Street, Swindon**

The Panel considered (a) a report of the Council's Licensing Officer setting out an application for the transfer of a Premises Licence and the appointment of a Designated Premises Supervisor for the premises known as 80 William Street, Swindon, (b) an objection from Wiltshire Constabulary to the transfer of the Premises Licence and the appointment of the person named in the report as the Designated Premises Supervisor, (c) oral representations from Wiltshire Constabulary in support of their objection, (c) representations from the nominated Designated Premises Supervisor, (d) questions from Members and the answers received, and (e) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

Resolved – That this Panel having listened to and carefully considered all of the evidence and submissions put forward by the Police and the person named in the report, and having regard to the Licensing Act and, Secretary of State's

Guidance determined that the application to transfer the Premises Licence and the application for Designated Premises Supervisor be approved.

#### Reason

Whilst the Panel had concerns arising from the evidence before it felt that it did not meet the test of exceptional circumstances laid down in the Secretary of State's Guidance under Paragraph 4.28 to 4.31 and therefore could not refuse the application.

The Chair reminded both parties that they had the right of appeal to the Magistrates' Court against the determination of the Panel and that any such an appeal, must be commenced within 21 days of this determination.

**LICENSING PANEL**

**FRIDAY, 20 APRIL 2012**

PRESENT:- Councillors John Ballman, Michael Bray and Wayne Crabbe.

**93. Appointment of Chair**

Resolved – That Councillor Wayne Crabbe Chair this meeting of the Panel.  
(Councillor Crabbe took the Chair.)

**94. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**95. Application for Premises Licence - 184 Victoria Road, Swindon**

The Council's Licensing Manager submitted a report setting out (a) an application for a Premises Licence for the premises at 184 Victoria Road, Swindon, (b) the history of the premises concerned, including the revocation of the Premises Licence at this address and the revocation of the Designation Premises Supervisor's Licence, and (c) concerns relating to the application and the subsequent objection, based on those grounds, by the Council's Trading Standards Team.

Resolved – That, the meeting be adjourned pending the receipt of additional information, and unless compelling evidence is received to satisfy the concerns of the Council's Trading Standards Team the application be considered by this Panel on Friday 8<sup>th</sup> June 2012.

Reasons

1. That the Panel heard evidence as to the management of the premises under another individual which had led to the subsequent revocation of the Premises Licence.
2. The Panel was aware of the concerns of the Council's Trading Standards Team as to the authenticity of the current application and the need to prove that previous management would have no input or control over any application granted.
3. In order to satisfy itself that the Licensing Objectives would be met in full additional information was required prior to consideration of the application.
4. The Panel noted that should the information requested by the Council's Trading Standards Team prove that the previous management would have no financial or management interest in the premises that the current objection to the grant of the application would be withdrawn and that no review would be required.

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**LICENSING PANEL**

**WEDNESDAY, 25 APRIL 2012**

PRESENT:- Councillors Rex Barnett, Vera Tomlinson and David Wren

**96. Appointment of Chair**

Resolved – That Councillor Vera Tomlinson Chair this meeting of the Panel.  
(Councillor Tomlinson took the Chair.)

**97. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**98. Application for a Premises Licence for the Istanbul Market, 123 Manchester Road, Swindon**

The Panel considered (a) a report of the Council's Licensing Officer setting out an application for a Premises Licence for 123 Manchester Road, Swindon, (b) additional information from the Council's Licensing Officer concerning the application which had been deferred from a meeting of the Council held on 16<sup>th</sup> December 2011, in order to allow the applicant to receive additional legal advice and allow for a translator to be in attendance, (c) a written submission from Wiltshire Constabulary, (d) a written objection to the grant of a Premises Licence received from the Council's Trading Standards Team, (e) in the absence of the applicant, who was believed to be residing in Coventry, or any representative, the Panel sought clarification on a number of points from the Council's Licensing Officer, (f) questions from Members and the answers received, and (g) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

Resolved – That, having carefully considering the evidence before it the Panel determined that the application for a Premises Licence for the premises at 123 Manchester Road be refused.

Reasons

1. The Panel determined that the evidence of criminal activity at the premises provided by the Council's Trading Standards Team was compelling.
2. The Panel noted neither the applicant nor any representative had provided any evidence to contradict the evidence submitted by the Council's Trading Standards Team.
3. The Panel determined that the premises had been used for activities that breached the Crime and Disorder Licensing Objective.
4. The Panel determined that no evidence had been provided to show that the management of 123 Manchester Road had any measures in place to change the current culture at the premises.



**LICENSING PANEL**

**THURSDAY, 14 JUNE 2012**

PRESENT:- Councillors John Ballman, Andrew Bennett and Alan Bishop.

**1. Appointment of Chair**

Resolved – That Councillor Andrew Bennett Chair this meeting of the Panel.  
(Councillor Bennett took the Chair.)

**2. Minutes**

Resolved – That the minutes of the meeting held on 24<sup>th</sup> February 2012 be confirmed and signed.

**3. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**4. 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 in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 5 refers.)

**5. Personal Licence Application**

The Panel considered (a) a report of the Council's Licensing officer setting out objections from Wiltshire Police to a Personal Licence Application, (b) evidence from Wiltshire Police in relation to their objection to the grant of a personal licence to the person named in the report, (c) representations from the applicant and her manager for a personal licence, (d) questions to and answers from the Police and the applicant, (e) the Council's procedure for personal licence applications, and (d) Government Guidance and the Council's Licensing Policy.

Resolved - That, based upon the evidence before the Panel, as set out in the Licensing Officer's report, oral representations from Wiltshire police and the applicant and her manager, the Panel found no compelling reason not to grant the application of a personal licence to the individual named in the report and the application for a personal licence therefore be granted.

Reasons for Decision

1. The Panel heard evidence of a single offence by the applicant including a relevant offence as defined by Schedule 4 to the Licensing Act 2003.
2. The Panel heard evidence from the applicant regarding the offence and actions

taken since to ensure that there would be no repeat of the offence.

3. The Panel took into account the sentence of the Magistrates Court in respect of the conviction.

4. The Panel in weighing the evidence before it took into account the reference made at the hearing from her current manager as to her character and work ethic.

5. The Panel determine that the grant of a Personal Licence in this instant would not, in their view, undermine the Licensing Objectives.



**APPOINTMENTS COMMITTEE**

**FRIDAY, 18 MAY 2012**

PRESENT:- Councillor Roderick Bluh, Councillor Garry Perkins, Councillor Paul Baker, Councillor Mark Edwards, Councillor Jim Grant, Councillor Russell Holland, Councillor Nick Martin, Councillor Brian Mattock, Councillor Des Moffatt, Councillor Derique Montaut, Councillor David Renard, Councillor Kevin Small, Councillor Keith Williams and Councillor David Wood

**1. Minutes**

Resolved – That the minutes of the meeting held on 20<sup>th</sup> May 2011, be confirmed and signed as a correct record.

**2. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**3. Public Question Time**

No public questions were received during the meeting.

**4. Local Government Act 1989 - Section 15: Political Balance Arrangements**

Resolved – That, further to Minute 13(2) of the Council, and having carried out a review under Section 15 of the Local Government and Housing Act 1989 this Committee continue to apply political balance arrangements under the Act.

**5. Appointment of Sub-Committees**

Resolved – (1) That a Chief Officer Appointments Sub-Committee be appointed having the functions set out in the document “Swindon Borough Council Constitution, 2012/13” and comprising Councillors Roderick Bluh, Mark Dempsey, Fionuala Foley, Jim Grant, Des Moffatt, Garry Perkins and David Renard.

(All remaining Members of the Cabinet and Conservative Group Members serving on the Committee and the Members of the Labour Group to be appointed as deputies.)

(2) That a Deputy Chief Officer Appointments Sub-Committee be appointed having the functions set out in the document “Swindon Borough Council Constitution, 2012/13” and comprising Councillors Roderick Bluh, Mark Dempsey, Fionuala Foley, Jim Grant, Des Moffatt, Garry Perkins and David Renard..

(All remaining Members of the Cabinet and Conservative Group Members serving on the Committee and the Members of the Labour Group to be appointed as deputies.)



**APPEALS COMMITTEE**

**FRIDAY, 18 MAY 2012**

PRESENT:- Councillor Junab Ali, Councillor Abdul Amin, Councillor Paul Baker, Councillor John Ballman, Councillor Rex Barnett, Councillor Andrew Bennett, Councillor Alan Bishop, Councillor Wayne Crabbe, Councillor Doreen Dart, Councillor Toby Elliott, Councillor Claire Ellis, Councillor Maureen Penny, Councillor Rochelle Russell, Councillor Joe Tray and Councillor Peter Watts

**1. Minutes**

Resolved – That the minutes of the meeting held on 20<sup>th</sup> May 2011, be confirmed and signed as a correct record.

**1. Minutes**

Resolved – That the minutes of the meeting held on 20<sup>th</sup> May 2011, be confirmed and signed as a correct record.

**2. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**3. Public Question Time**

No public questions were received during the meeting.

**4. Local Government Act 1989 - Section 15: Review of Political Balance Arrangements**

Resolved – That, further to Minute 13(2) of the Council, and having carried out a review under Section 15 of the Local Government and Housing Act 1989 this Committee continue to apply political balance arrangements under the Act.

**5. Appointment of Sub-Committees**

Resolved – (1) That an Ad Hoc Appeals Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2011/12” and comprising Councillors Junab Ali, Abdul Amin, Paul Baker, Alan Bishop, Doreen Dart, Claire Ellis and Wayne Crabbe.

(Deputies: All remaining Members of their respective Groups.)

(2) That an Education Appeals Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2012/13” and comprising 3 Councillors to be drawn from Councillors Junab Ali, Abdul Amin, Paul Baker, John Ballman, Rex Barnett, Andrew Bennett, Alan Bishop, Wayne Crabbe, Doreen Dart, Toby Elliott, Claire Ellis, Maureen Penny, Rochelle Russell, Joe Tray

and Peter Watts.

.

(Deputies: All remaining Members of their respective Groups.)

(3) That an Introductory Tenancy Review Board be appointed having the functions set out in the document "Swindon Council Constitution 2012/13" and comprising 3 Councillors to be drawn from Councillors Junab Ali, Abdul Amin, Paul Baker, John Ballman, Rex Barnett, Andrew Bennett, Alan Bishop, Wayne Crabbe, Doreen Dart, Toby Elliott, Claire Ellis, Maureen Penny, Rochelle Russell, Joe Tray and Peter Watts

.

(Deputies: All remaining Members of their respective Groups.)

(4) That a Social Services Review Panel be appointed having the functions set out in the document "Swindon Council Constitution 2012/13" and comprising 3 Councillors to be drawn from Councillors Junab Ali, Abdul Amin, Paul Baker, John Ballman, Rex Barnett, Andrew Bennett, Alan Bishop, Wayne Crabbe, Doreen Dart, Toby Elliott, Claire Ellis, Maureen Penny, Rochelle Russell, Joe Tray and Peter Watts

.

(Deputies: All remaining Members of their respective Groups.)

(6) That a Staff Appeals Sub-Committee be appointed having the functions set out in the document "Swindon Council Constitution 2012/13" and comprising Councillors John Ballman, Andrew Bennett, Alan Bishop, Wayne Crabbe, Doreen Dart Rochelle Russell and Joe Tray.

(Deputies: All remaining Members of their respective Groups.)

**EDUCATION TRANSPORT APPEALS SUB-COMMITTEE**

**TUESDAY, 24 APRIL 2012**

PRESENT:- Councillors Andrew Bennett, Doreen Dart and Rochelle Russell.

**63. Appointment of Chair**

Resolved – That Councillor Doreen Dart be Chair of this Sub-Committee.

(Councillor Dart in the Chair).

**64. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

Councillor Rochelle Russell made a non-prejudicial declaration of interest in respect of Agenda Item No. 5 as she was a Councillor for the Ward in which one of the appellants lived but that she had not had any previous contact with that appellant.

**65. Minutes**

Resolved – That the minutes of the meetings held on 8<sup>th</sup> March 2012, be confirmed and signed as a correct record.

**66. 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 in Agenda Item 5 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 67 refers).

**67. Home to School Transport Appeals**

On consideration of (a) a report of the Group Director, Children setting out education transport appeals that officers could not determine under delegated authority, and (b) the comments of parents attending the meeting and their written submissions.

Resolved – (1) That, due to there being no exceptional circumstances, appeal numbers TA/1112/578, TA/1112/561, TA/1112/562 and TA/1112/563 be refused.

(2) That, due to the exceptional circumstances outlined in the appeal, appeal number TA/1112/571 be upheld and reimbursement of costs be provided for the period 8<sup>th</sup> February 2012 to the 23<sup>rd</sup> July 2012.

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**EDUCATION TRANSPORT APPEALS SUB-COMMITTEE**

**FRIDAY, 27 APRIL 2012**

PRESENT:- Councillors Michael Bray, Doreen Dart and Rochelle Russell.

Apologies for absence were received from Councillors Junab Ali and Sinead Darker.

**68. Appointment of Chair**

Resolved – That Councillor Doreen Dart be Chair of this Sub-Committee.  
(Councillor Dart in the Chair).

**69. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

Councillor Mick Bray made a personal declaration of interest in respect of Agenda Item 5 as he was an active member of the Catholic faith community in Swindon. He did not take part in the deliberations.

**70. 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 in Agenda Item 5 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 71 refers).

**71. Home to School Transport Appeals**

On consideration of (a) a report of the Group Director, Children setting out education transport appeals that officers could not determine under delegated authority, and (b) the comments of parents attending the meeting and their written submissions.

Resolved – (1) That, due to there being no exceptional circumstances, appeal numbers TA/1112/586, TA/1112/41 and TA/1112/42 be refused.

(2) That, due to the exceptional circumstances outlined in the appeal, appeal number TA/1112/594 be upheld and reimbursement of costs be provided for the period 6<sup>th</sup> March 2012 to the 24<sup>th</sup> July 2013.

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**EDUCATION TRANSPORT APPEALS SUB-COMMITTEE**

**FRIDAY, 1 JUNE 2012**

PRESENT:- Councillors Junab Ali, Rex Barnett and Maureen Penny.

**1. Appointment of Chair**

Resolved – That Councillor Junab Ali be Chair of this Sub-Committee.  
(Councillor Ali in the Chair).

**2. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**3. Minutes**

Resolved – That the minutes of the meeting held on 27<sup>th</sup> April 2012, be confirmed and signed as a correct record.

**4. 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 in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 5 refers).

**5. Home to School Transport Appeals**

On consideration of (a) a report of the Board Director Commissioning, setting out education transport appeals that officers could not determine under delegated authority and (b) the comments of parents attending the meeting and their written submissions.

Resolved – (1) That, due to there being no exceptional circumstance, appeal number TA/12/465 be refused.

(2) That, due to the exceptional circumstances outlined in the appeal, appeal number TA/12/579 be upheld and reimbursement of costs be provided for the period 1<sup>st</sup> June 2012 to the 23<sup>rd</sup> July 2012.

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## **Section 4**

# **Children Services Bodies Minutes**

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**SWINDON CHILDREN'S TRUST BOARD**

**THURSDAY, 15 MARCH 2012**

PRESENT: Liz Holmes in the Chair, Councillor David Renard, Councillor Eric Shaw, Councillor Fay Howard, Liz Holmes, Julie Tridgell (Head teachers), Jo Garton (Head teachers), Peter Crockett (Head Teachers), Ruth Fitzjohn (Swindon Primary Care Trust), Peter Wells (Diocese), John Popowicz (Fire Service), Mike Howard (LSCB) and Doug Morris (Parent & Carers Advisory Group)

Apologies for absence were received from Valerie Johnstone (Governors), John Gilbert (Group Director), Riana Taylor (Probation Service), Andrew Miller (Swindon College) and Kate Rowe (Sure Start)

**36. Minutes**

Resolved – That the minutes of the meeting held on 24 November 2011 be confirmed and signed as a correct record.

Minute 26 – Jo Garton (SAPH) noted that the current agenda did not contain the report on initial assessments, which had been indicated in that minute. Sue Wald (Director Strategy and Commissioning) confirmed that a report would be submitted to the next meeting.

**37. Public Question Time**

There were no members of the public present and no questions were asked.

**38. Swindon Youth Forum**

Grishma Ramesh, Naheda Miah and Saria Ahmed from the Youth Forum attended with Amy Law, Barry Jones and Claire Smith (Contracts and Participation Manager) to present an update on the work of the Youth Forum, Chatterbox and Member of Youth Parliament. Each representative gave a short presentation to inform the Board of the work currently being advanced.

The structure of the Youth Forum had changed and they were working on a new look and style for it based on the ideas and feedback received from the wider community at the 2011 Youth Festival. They were also undertaking a recruitment drive as many of the members were now approaching the upper age limit and would be moving on. Information was also provided on the work and progress of Chatterbox, which involved young people with disabilities.

The new Member of Youth Parliament, Grishma Ramesh, informed members that her focus for her year in office would be working to bring all generations together and also continuing to tackle the bullying issue.

The Board commended the Youth Forum on the range of subjects chosen as priorities for 2012 which would draw in the wider community. The new Member of Youth Parliament was also congratulated on her appointment and for planning to

build on the work of her predecessor, Carney Bonner. The representatives were thanked for attending and were invited to return with an update when there were further positive results to report.

Resolved – The Swindon Children's Trust Board:

(1) Agrees that a further report on progress should be brought back to the Committee.

(2) Continues to support the work of the Youth Forum, Chatterbox Group and Member of Youth Parliament.

(3) Agrees that the outgoing Member of the Youth Parliament, Carney Bonner, be thanked for his work to help the young people of Swindon over the last year.

### **39. The Special Educational Needs Provision Strategy - outcome of the consultation**

The Director Schools and Learning (Paddy Bradley) presented a report with information on the outcome of the consultation on the Special Educational Needs Provision Strategy which took place during October and November 2011.

Mr Bradley commented on the disappointingly low response rate but advised that the responses received were generally in favour of the proposals. He made reference to the expansion of provision at The Commonweal School and also to the enquiries being made about a possible new location and new build for Crowdys Hill School.

The Chair (Liz Holmes) noted the wide range of consultees but remarked that they did not include many children. It was suggested that Chatterbox would provide a good starting point to involve children in the consultation process. With such a low response rate Mike Howard (LSCB) queried the value and weight of the result.

Jo Garton (SAPH) admitted that she did not respond as she didn't understand some of the questions. This fact was also mentioned in some of the replies that had been forthcoming. Members commented on the number of acronyms used throughout the document and the technical issues referred to that many would not understand. In addition, there were so many consultations being issued generally that people were getting tired of them. Julie Tridgell (SASH) advised that any consultation was inclined to be lost amongst all the communications to schools and more was needed to advertise it and raise the profile of the consultations.

Resolved – The Swindon Children's Trust Board:

(1) Provides comments on the consultation process as set out above.

(2) Notes the views on the Strategy gathered during the consultation period.

(3) Recommends the Council to approve the development of provision indicated in the Special Educational Needs Provision Strategy, attached as an appendix to these minutes.

### **40. Raising Participation Strategy**

Sally Burnett (Integrated Youth Support Manager) submitted a report regarding the proposed strategies and actions in the Raising Participation Strategy.

Mrs Burnett commented on the report explaining that children currently in Year 10 would be the first to be affected by having to remain in learning until 17, whilst those in Year 8 would need to stay until they were 18. She referred members to the action plan which set out the steps to be taken to engage young people with an appropriate timeframe.

Members commented on the lack of incentive for children with special needs to remain in learning and of the difficulty for some children in making the transition from full time schooling to what was effectively part time learning. Parents also found it difficult to know how to support their children in some instances as the pattern of careers and jobs now available were different to those in the parents' experience.

Mrs Burnett confirmed that work was continuing to ascertain what additional provisions were required for children with special needs. She appreciated the difficulties in moving to post 16 learning and agreed that more work was needed to smooth the transition. Also, she was considering ways of working with parents to provide them with the help and support needed to guide their children.

The Chair (Liz Holmes) requested that future reports include a breakdown of how figures were reached, as this would give meaning to the various percentages quoted. Julie Tridgell (SASH) suggested that a report on how schools proposed to manage their duties from 2016 might be appropriate and agreed that this should come from Swindon Association of Secondary Heads (SASH).

Resolved – The Swindon Children's Trust Board:

(1) Notes the specific strategies recommended and actions to be taken to increase participation in learning for 16 to 19 year olds.

(2) Provides comments on the strategy as set out above and requests that a report on progress which also responds to the points raised be submitted to a future meeting.

(3) Endorses the priorities set out in the strategy.

(4) Requests the Swindon Association of Secondary Heads (SASH) to submit a report setting out how the schools propose to manage their duties from 2016.

#### **41. Sexual Health in Swindon**

The Board considered a report by Julie Northcott (Strategic Planning and Commissioning Manager – Sexual Health and Teenage Pregnancy) on the progress and challenges in the work towards improving the sexual health outcomes of young people across Swindon.

Mrs Northcott advised that since the report had been written further data had become available. Swindon now had its lowest rate of teenage pregnancies since records began and was the eighth best performing authority in England, with a 43.9% reduction in the number of pregnancies. She informed members that she wanted to carry out more work around relationship issues and that she was also part of the Local Safeguarding Children Board (LSCB) Sub-Group that was working on the same issues.

Peter Crockett (ASSSH) expressed concern for children with special needs in all

phases of their schooling as they were a particularly vulnerable group. Peter Wells (Diocese) fully supported the project and he was pleased to note the emphasis was on relationships and not just sexual activity. Julie Tridgell (SASH) commented that her school had undertaken some work around sexualised language in the media when it was noted that it did affect young people. It was agreed that the forthcoming project would be promoted at meetings of Swindon Association of Secondary Heads (SASH), Swindon Association of Primary Heads (SAPH) and Association of Swindon Special Schools Head Teachers (ASSSH).

Resolved – The Swindon Children's Trust Board:

(1) Endorses a time limited project to establish Swindon's education provision capacity across all phases to meet the revised OFSTED inspection framework in regard to the behaviour and safety of pupils (specifically focusing on relationships/risky behaviour element).

(2) Agrees that a report on the outcome of the project be submitted to the Board with proposals for improvements where needed.

## **42. Children Services Performance Report**

The Director Strategy and Commissioning (Sue Wald) presented a report on performance in Children Services through performance updates to the end of December 2011 and updates for January 2012 where data was routinely reported and available.

Mrs Wald referred to paragraph 2.7.4 of the report regarding the number of children in care and advised that the latest figures were not available when the report was first written. Details had subsequently been received and because of the significant increase from 235 at 30 November 2011 to 263 at 29 February 2012, it was felt that a detailed investigation was needed to ascertain the reasons for the increase. Appendix 2 had therefore been withdrawn as it was no longer appropriate and a further report would be submitted to the next meeting.

Peter Wells (Diocese) remarked on the number of groups that received the Performance Report and enquired whether it was helpful to have so much duplication. Both Councillors Shaw and Renard had noted the duplication and whilst it was appreciated that the various groups wanted information on performance levels they agreed that so much duplication could detract from strategic issues. Paddy Bradley (Director Schools and Learning) commented on the need to keep a check on issues and monitor the areas that were improving and those that were not.

Jo Garton (SAPH) commented on the increasing case load of social workers and in view of the difficulty in recruiting and retaining staff, queried whether Swindon had enough people to maintain the level of work. It was explained that the increase mainly affected community social workers and there were very experienced managers in place to oversee the work.

Julie Tridgell (SASH) requested the Board's views on the significant reduction in funding for three secondary schools in 2012/13. Both the Chair (Liz Holmes) and Councillor Renard responded by stressing that the decision on school budgets was taken by the Local Authority based on the recommendations and advice from the Schools Forum, they therefore felt unable to comment on the issue.



Resolved – The Swindon Children's Trust Board:

(1) Notes the performance data for Children's Services to the end of January 2012 where data was routinely reported and available and provides comments as above.

(2) Requests that more detailed information be submitted to the next meeting regarding the number of children in care and the number of adoptions within the Borough.

#### **43. Esafety Programme - Update**

Huw Ford (Children Services ICT Manager) presented a report on the progress of the esafety harm reduction programme across Swindon.

Members noted that children were often ahead of their parents in computer literacy and enquired how parents were informed of ways that they could monitor children's use of the internet. Mr Ford advised that they did have access to a helpline and he was working with the Local Safeguarding Children Board (LSCB) to promote the safety programme in addition to the schools providing their own instructions for pupils. However it was acknowledged that adults were probably not receiving the same level of information as the children. Liz Holmes (Chair) stated that it would be helpful for a future report to bring together data from all stakeholders involved with esafety to provide a comprehensive view of the situation.

Resolved – That the Trust Board continues to support and endorse the work of the esafety programme across Swindon.

#### **44. Minutes of Children's Joint Commissioning Board**

The Director of Strategy and Commissioning (Sue Wald) submitted a report with the minutes of the Children's Joint Commissioning Board meeting of 17 January 2012.

The Chair (Liz Holmes) was pleased to note the progress that was being made by the collaborative working of the various agencies, which was highlighted by the Section 75 integrated budget. Both she and Councillor Renard expressed a wish to see this form of collaborative working continue.

Resolved – That the report and the minutes of the Children's Joint Commissioning Board meeting of 17 January 2012 be noted.

#### **45. New Arrangements for Ofsted Inspection of Local Authority Children's Services**

The Board considered a report by the Director Strategy and Commissioning (Sue Wald) with information on the new Ofsted arrangements for the inspection of local authority children services.

Mrs Wald advised the Board that Swindon would not be included in the first year of the new inspection of local authority arrangements to protect children starting in May 2012, as it was targeting authorities at the weaker end of performance, whereas Swindon was judged to be good following a similar inspection in 2009. A

joint, multi-agency inspection framework was being developed to replace this inspection which will be implemented during 2013/14.

The adoption and fostering services would be inspected by March 2013 under a new framework and evaluation schedule that was being implemented from 1<sup>st</sup> April 2012. Ofsted then planned to introduce a single integrated 'children looked after' Inspection that covered all areas of child protection and which would be implemented from April 2013.

Peter Wells (Diocese) suggested that it would be helpful for the Board to receive a report that included information on (a) the issues raised at the last inspections together with the action taken and good practices that had been developed to address these issues, (b) any potential new issues that had been identified and (c) what was being done to prepare for the new inspections.

Resolved – (1) That the Board notes the new arrangements for the Ofsted inspection of local authority children services which take effect from 1<sup>st</sup> April 2012.

(2) That a report be submitted to the next meeting with information on the inspections as detailed above.

#### **46. School Admission Arrangements and Education Transport Policy**

The Board considered a report presented by the School Admissions Manager (Emily Fry) regarding school admission arrangements from September 2013 together with an Education Transport Policy for 2013 –14 and providing information on consultation arrangements for the permanent expansion of Haydonleigh Primary School from September 2013 .

Miss Fry commented on the report, highlighting the changes to the admissions process to comply with the provisions of the new School Admissions Code that came into force on 1 February 2012. With there no longer being a need for the Local Authority to coordinate in year admissions, there had been concern that a child could be lost in the system but Miss Fry advised that a monitoring process would be in place to resolve this issue. Paddy Bradley (Director Schools and Learning) commented on the high number (98.8%) of secondary applications that that had been allocated their first preference and commended the Admissions Team for the good performance.

With regard to the Education Transport Policy, there had been a motion to Council on 23 February 2012 and it was agreed that the Policy should be reviewed to consider restoring the parents' ability to attend and address the Education Transport Appeals Sub-Committee. This could affect the Policies for both 2012/13 and 2013/14 and the Policy had been written to take this into account.

Resolved – The Swindon Children's Trust Board recommends the Council to:

- (1) Approve the co-ordinated scheme of admission arrangements for the normal point of entry (Reception Year, Year 3 and Year 7) and In Year admissions for all primary schools and secondary schools in Swindon and neighbouring Local Authorities for September 2013;
- (2) Approve the admission numbers for Community and Voluntary-Controlled schools for September 2013;
- (3) Agree that, if approved, these proposals are determined by 15<sup>th</sup> April 2012 and implemented by the Group Director, Children for admission for September

- 2013 for all new applicants;
- (4) Authorise the Group Director, Children to undertake consultation on the proposal to permanently expand Haydonleigh Primary School from September 2013.
  - (5) Agree that a report on the outcome of the consultation on the expansion of Haydonleigh Primary School be made to the Cabinet bearing in mind the target timetable set out in Appendix 8 to the report.
  - (6) Approve the Education Transport Policy 2013-14, as set out in Appendix 7 to the report.

#### **47. Minutes of Local Safeguarding Children Board**

The Chair of the Local Safeguarding Children Board (LSCB) (Mike Howard) introduced the report and commented on the minutes. He remarked that by appointing lay members, Swindon was one of the more progressive Boards in the country.

Peter Crockett (ASSSH) commented on the low number of schools with anti-bullying accreditation, as he noted that the level of support and the resources available to tackle this issue had now reduced. It would now be incumbent on the individual schools and their governing bodies to pick up and deal with the issue.

Resolved – That the report and the minutes from the Local Safeguarding Children Board meeting of 13 December 2011 be noted.

#### **48. Future Meetings**

The Board considered options for the annual number of meetings and decided that four meetings throughout the year would be appropriate.

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**SWINDON CHILDREN'S TRUST BOARD**

**THURSDAY, 14 JUNE 2012**

PRESENT: Liz Holmes in the Chair, Councillor Doreen Dart, Councillor David Renard, Jo Garton (Head teachers), Valerie Johnstone (Governors), Ruth Fitzjohn (Swindon Primary Care Trust), Louise Tapper (Swindon Primary Care Trust), Peter Wells (Diocese), John Gilbert (Group Director), John Popowicz (Fire Service), Mike Howard (LSCB), Jill Annal (Jobcentre Plus), Liz Mearns (General Practitioners) and Doug Morris (Parent & Carers Advisory Group)

Apologies for absence were received from Councillor Rochelle Russell, Julie Tridgell (Head teachers), Peter Crockett (Head Teachers & Chair of Schools Forum), Hilary Walker (GWH NHS Foundation Trust), Teresa Harding (CAMS) and Riana Taylor (Probation Service)

**1. Minutes**

Resolved – That, subject to the inclusion of Ruth Fitzjohn (Primary Care Trust) as an attendee, the minutes of the meeting held on 15 March 2012 be confirmed and signed as a correct record.

Minute 46 - School Admission Arrangements and Education Transport Policy. The Chair (Liz Holmes) advised that following the motion to Council in February 2012, the Transport Policy was currently out for consultation regarding the possibility of restoring parents' ability to attend and address the Education Transport Appeal Sub-Committee. A report on the outcome of the consultation would be submitted to Cabinet on 11 July 2012 for a decision.

**2. Public Question Time**

The following questions were asked by Mr Paul Sunners.

**Question 1.**

With reference to the Children Services Performance Report (Agenda Item 4) para.2.7.1 Youth Engagement service Activity.

The information contained within this report clearly highlights the extent to which 'youth work' in Swindon has become focussed on individual case-work with an increasingly narrow focus on young people with specific needs. Inevitably, such focus has significant resource implications for a diminishing number of youth workers and any attempt to resurrect a robust youth service available to all young people in Swindon.

In light of the long-standing concern in relation to youth provision in Swindon, will the SCTB exert influence on Swindon Borough Council to adopt a creative approach to the principles contained within 'Positive for Youth – a new approach to cross-government policy for young people aged 13 to 19' a Government policy published in December 2011?

**Observation comment to support Question 2.**

Reference 2.7.10 Exclusions. Based on the data presented in paragraph 2 the published percentage increase is inaccurate and should read 31.5%. However, this information would appear to be erroneous based on exclusion data contained within the 'schools on-line weekly update' (28<sup>th</sup> May 2012) which clearly indicates that the total number of fixed term exclusions for the same period i.e. September 2011 to March 2012 was 918. If the previous year's total is correct i.e. 657, this means that the increase in FTE's is 39.7%. To assist any focussed analysis of the data pertaining to Fixed Term Exclusions it may have been helpful to if the 'schools on-line' information had been added as an appendix.

**Question 2.**

In light of the Exclusions information presented in paragraph 2.7.10 which reports a significant increase in fixed term exclusions, does this matter merit closer scrutiny?

The Chair (Liz Holmes) responded to question 1 by advising that the Board received regular reports from the Youth Service and was therefore able to monitor the scope of services provided and its ability to maintain services.

The Head of Commissioning (Sue Wald) responded to question 2 by agreeing that the percentage increase in fixed term exclusions referred to in paragraph 2.7.10 should be 31.5%.

Mrs Wald further explained that when the report was written it was based on the latest available data. This information was affected by when the data was actually entered by individual schools. To get an accurate comparison between the years, it would be necessary to use the official annual figures. Details were regularly reported to the Board as part of the monitoring process and to give an indication of the trend in numbers.

The Head of Commissioning – Economy/Attainment (Paddy Bradley) advised that the number of exclusions was increasing generally. In addition, the majority of secondary schools in the town were now academies and as most exclusions were from secondary schools, this had an impact on the data as academies had a different reporting process. Work was continuing to find a way of providing an overall picture of the situation within the town. It was suggested that the appropriate Scrutiny Committee be requested to investigate the issue.

Mr Sunners commented on the need for an accurate analysis of the figures, in the light of 'Every Child Matters' and for the need to provide both the percentages and the actual numbers as statistics did not show the whole picture. He also drew the Board's attention to the publication 'Positive for Youth – a new approach to cross-government policy for young people aged 13 to 19' and recommended that the Council adopt a creative approach to the principles it contained regarding the provision of youth services.

**3. Children Services Performance Report**

The Head of Commissioning (Sue Wald) presented a report on performance in Children Services through performance updates to the end of February 2012 and for March 2012 where data was routinely reported and available.

Mrs Wald commented on the report, highlighting the significant improvement in the prevalence of breastfeeding at six to eight weeks and the uptake of the human papilloma virus (HPV) vaccination, which at 94.8% was the third highest in the country.

There was a considerable increase in the number of children in care over the last year, from 240 to 263 but the precise reason for this was unknown. An investigation into the reasons was continuing and a full analysis would be submitted to the September meeting. The Head of Children and Families (Sara Tough) remarked that the increase was not unusual as nationally there was an increase in numbers.

Jo Garton (SAPH) referred to the details regarding the completion of initial assessments and stated that it was not easy to understand. Mrs Tough advised that this statistical information would shortly be redundant following a recommendation in the Munro report to remove all timescales. The data was simply a process measure and gave no indication of whether all the children who required an assessment had actually started the process. A new performance framework was currently out for consultation and a local policy would be compiled once that was completed. In the future there would be a different set of data to work to, one of which would be the average time taken for a child to have a complete assessment. Another important aspect was the actual provision of a required service

Comment was made that the Munro Report focused on quality of provision whereas current data did not reflect any quality aspect. Mrs Tough informed the Board that a Principle Officer, Social Work had recently been appointed and they would be working on ways to provide data on the quality of provision with a report on proposals or an update coming to the September meeting at the earliest.

The Chair (Liz Holmes) referred to the data on exclusions and the need for more detail. The Head of Commissioning – Economy/Attainment (Paddy Bradley) commented on the number of independent schools within the Borough and the possible need for the same number of sets of data.

Resolved - The Swindon Children's Trust Board:

- (1) Notes the performance data for Children's Services to the end of February 2012, with March 2012 updates, where data was routinely reported and available and provides comments as above.
- 2) Notes the additional, more detailed information regarding the number of children in care, initial assessments and adoptions.
- 3) Welcomes the significant improvements made and congratulates the staff for their achievements.
- 4) Requests the Head of Commissioning – Economy/Attainment (Paddy Bradley) to provide as detailed a report as possible on the exclusion data, including figures as well as percentages, on exclusions over the past year for all schools within the Borough.
- 5) Requests that the Children and Young People Overview and Scrutiny Committee investigate the question of pupil's exclusion from schools in order to gain an accurate picture of the level and the reasons for exclusion within the town.

#### **4. Ofsted Thematic Inspection of Protecting Disabled Children**

The Head of Children and Families (Sara Tough) submitted a report with information on the outcome of the Ofsted Thematic Inspection on protecting children with disabilities, held on the 17<sup>th</sup> and 18<sup>th</sup> April 2012 and the action plan that had been developed to respond to and learn from the feedback that was received from Ofsted.

Mrs Tough stressed that this was not a formal inspection but one of a series of 12 inspections carried out across the country to inform the final inspection report. The inspection focused on multi-agency working and provided an insight into the process for future inspections. Although there was no formal report, the inspection did identify some areas for improvement and several areas of good practice, some of which have been followed up by Ofsted to inform national good practice. An action plan had been developed in response to the feedback that had been received from Ofsted and this would be monitored by the Local Safeguarding Children Board.

Resolved – The Board welcomes the progress that has been made in the safeguarding of children and notes the feedback that was received from the Ofsted Inspector who undertook the Thematic Inspection of Protecting Disabled Children.

#### **5. Ofsted Inspection of Local Authority Children's Services**

The Board considered a report by the Head of Commissioning (Sue Wald) regarding issues arising from the Ofsted inspection of Safeguarding and Looked After Children in December 2009 and the preparations for inspections under the new Ofsted Inspection Framework.

The Chair (Liz Holmes) referred to the Ofsted Summit taking place in July on the new inspection framework and encouraged all members or a representative to attend. Invitations had already been issued but she would arrange for a further notification to be sent to members.

Resolved – The Swindon Children's Trust Board:

- 1) Notes the actions that have been taken to address issues raised at the Ofsted inspection of Safeguarding and Looked After Children in 2009.
- 2) Endorses the work that is being undertaken to prepare for the new Ofsted Inspection Framework, noting that the focus of the new Ofsted inspections is around child protection, rather than on the broader 'safeguarding' arena.

#### **6. Minutes of Children's Joint Commissioning Board**

The Head of Commissioning (Sue Wald) submitted a report with the minutes of the Children's Joint Commissioning Board meeting of 20 March 2012 and with information on the new governance arrangements for the Children's and Adults Joint Commissioning Boards.

Resolved – That the report and the minutes of the Children's Joint Commissioning Board meeting of 20 March 2012 be noted.

#### **7. Minutes of Local Safeguarding Children's Board**

The Chair of the Local Safeguarding Children Board (LSCB) (Mike Howard) introduced the report and commented on the minutes of the meeting on 13 March 2012.



Reference was made to the adoption process and John Gilbert (Board Director Commissioning) advised that he had met with the new Judge for Adoption proceedings who recognised that there were delays in the system and wished to refresh some of the Court processes. Andrew Ferguson (Solicitor) remarked on the new instructions that had just been issued in respect of Care proceedings with the aim of reducing the time taken. He further explained that delays in Court proceedings could arise because of the availability of magistrates or experts that were required or because of delays in providing information to the Court. The reduction in the number of magistrates and clerks also had an impact. It could take up to two years to deal with a Care Order and then further time for the adoption process.

Ruth Fitzjohn (Primary Care Trust) referred to the item on sexual exploitation and enquired about the level of the problem in Swindon. Mr Howard advised that no figures were available at present but the LSCB was working on an analysis of the situation. The main focus of the Board was to raise awareness of the issue and to make people conscious of the signs to look out for.

Mr Howard also commented on the new Ofsted inspection framework and its greater focus on child protection. In future, training records would need to include information on how the training has helped the individual and how the new knowledge is being implemented. It was suggested that prior to any training, the person should be asked what they wanted to gain from it, to avoid repeating any course that would not improve their learning.

The Chair (Liz Holmes) advised that she had met with Mr Howard to discuss how the Swindon Children's Trust Board and the LSCB could work together to ensure that all aspects of child protection were covered and that nothing was missed by either of the two Boards.

Resolved - That the report and the minutes of the Local Safeguarding Children Board meeting on 13 March 2012 be noted.

## **8. Parent Participation Progress Update**

Doug Morris (Parent and Carers Advisory Group) presented a report with an update on the progress made with Parent Participation in Swindon since the last report in March 2010.

Liz Mearns (General Practitioner) referred to a meeting that had taken place between medical practitioners and parents of children with cerebral palsy concerning the length of time taken to obtain a diagnosis and how this could be improved. She suggested that the Parent and Carers Advisory Group could help with the process and should become involved. Mr Morris confirmed that some diagnosis could take up to two years and was very stressful. This was not only a health issue as it also affected a child's education.

John Gilbert (Board Director Commissioning) remarked that the Clinical Commissioning Board wanted to help general practitioners (GP) navigate their way through the system and it wanted to investigate ways of having a more systematic approach to the process. Dr Mearns advised that a delay could arise because the

condition was very rare and the GP needed to find out how to access the route to getting a proper diagnosis or it could be because of the time needed to get a result from biological tests. In these instances, it would be helpful if a way could be found to provide assistance before any final diagnosis.

The Chair (Liz Holmes) was pleased that the Group had continued following its separation from Aiming High as it provided invaluable support for parents and carers and its contribution to the Trust Board was much appreciated.

Resolved – That the Swindon Children's Trust Board:

- 1) Notes progress and work undertaken by Swindon Parents and Carers Advisory Group, as set out in Section 4 of the appendix to the report.
- 2) Endorses the further plans for developing the Parent and Carers Advisory Group as set out in Section 5 of the appendix to the report.

## **9. Referral from Standing Advisory Council on Religious Education (SACRE)**

The Head of Commissioning – Economy/Attainment (Paddy Bradley) introduced a report on the work of the Standing Advisory Council on Religious Education (SACRE), which highlighted its concerns regarding access to Religious Education in the Borough.

Mr Bradley advised that all schools were required to teach Religious Education (RE) in accordance with the locally agreed syllabus, but it only formed part of the national curriculum in faith schools. SACRE's role was to monitor and support the provision of RE but with a steady decline in the number of schools entering pupils for exams, this was becoming more difficult.

The Board noted and supported the SACRE's proposal to write to all governing bodies and academy trusts to request information on the teaching of RE, but were concerned at the possible terminology. It was recognised that the locally agreed syllabus could be taught in various ways under numerous subject titles and it was anxious that any enquiry to schools should be made in the widest context possible.

Resolved – That the Board:

- 1) Notes and appreciates the work of the SACRE and its concerns regarding access to Religious Education in the Borough, and provides comments as above on the issues highlighted by the SACRE.
- 2) Supports the SACRE's proposal to write to all schools in the Borough regarding the teaching of RE but requests that the enquiry be made in the widest possible context in line with the comments set out above.

## **10. Date of Next Meeting**

The Board noted that the next meeting would take place on Thursday, 27 September 2012 at 5.00 p.m. in Committee Room 6, Civic Offices, Swindon.

**SCHOOLS FORUM**

**TUESDAY, 6 MARCH 2012**

PRESENT: -

**School Members:** Nick Capstick, Primary Headteacher  
Lauren Connor, Primary Headteacher  
Chris Davis, Primary Headteacher  
Janet Urban, Primary Headteacher  
Rhian Cockwell, Primary Headteacher  
Paul Boyles, Primary Governor (Vice-Chair)  
David Easter, Primary Governor  
Robert Jackson, Primary Governor  
Peter Crockett, Special Headteacher (Chair)  
Steve Colledge, Secondary Headteacher  
Rachael Matthey, Secondary Headteacher  
Wendy Conaghan, Secondary Headteacher  
Julie Tridgell, Secondary Headteacher  
Andy Hazelton, Secondary Governor  
Lynne Fletcher, Swindon Academy

**Non-School Members:** Maureen Harries, Diocese  
Peter Smith, Trade Unions

**Officers:** Steve Haley (Group Finance Manager)  
Sarah Higgins (Deputy Group Finance Manager)  
Ian Bickerton (Director Access and Provision)  
Paddy Bradley (Director Schools and Learning)

Councillor David Renard was also in attendance.

Apologies for absence were received from Derek Fry (Special Governor), Debbie Waldron (Early Years Representative), Andrew Miller (16-19 Partnership) and Ram Thiagarajah (BME).

**25. Minutes**

Resolved – That the minutes of the meeting held on 17 January 2012 be confirmed and signed as a correct record.

Minute 18 – Ian Bickerton (Director Access and Provision) advised that with the agreement of the Chair, a report on the Forum's membership would be submitted to the next meeting. The Forum was reminded of the decisions taken on the membership at the October 2011 meeting, including the changes to the composition of the School Members (head teachers and governors) for secondary schools. The school membership needed to reflect the situation within the Borough but with a series of schools converting to academy status over the next few months, it was sensible to wait until numbers were more settled.

Minute 22 – Ian Bickerton stated that there had been further discussions on the Trade Unions Facilities Agreement and it had been considered by the Education Joint Consultative Committee on two occasions. The result was a few relatively minor changes to the Agreement and a copy was distributed for information.

## **26. Schools Forum Sub Group Terms of Reference**

Steve Haley (Group finance Manager) submitted a report with draft Terms of Reference covering the scope and operation of the Schools Forum Sub-Group.

Resolved – That the Schools Forum agrees to the adoption of the Terms of Reference set out in paragraph 2 of the report in respect of the Forum's Sub-Group.

## **27. Monitoring of School Balances**

Steve Haley (Group Finance Manager) presented a report with information on the projected 2011/12 year end balances of Swindon schools. He advised that this report followed on from the ones submitted to the meetings on 11<sup>th</sup> October 2011 and 17<sup>th</sup> January 2012 regarding the new trial scheme. Details of the estimated year end balances were shown in Appendix A and although it did not include any information from the Academies, they would all be asked to provide the same details for information purposes in April. Mr Haley again stressed that the focus of the new scheme was to improve financial forecasting and there would not be any claw back of excess balances during 2012.

Resolved – That the Forum notes the estimated value of committed and uncommitted balances which Swindon schools expect to have available after closure of the 2011/12 financial year.

## **28. Dedicated Schools Grant and School Funding 2011/15**

The Forum considered a report by Steve Haley (Group Finance Manager) regarding the estimated Dedicated Schools Grant and Pupil Premium position for 2012/13 and other school funding issues.

Mr Haley talked members through the report, commenting on the various items and highlighting the decisions required by the Forum. He remarked on the Pupil Premium funding, with particular reference to the allocation for Looked after Children, as there was an element of discretion allowed in its allocation. The proposal was to continue with the current method of distribution and details of how this worked out were included at paragraph 2.8 of the report. Rachael Matthey (Secondary Head Teacher) stated that whilst she was happy to agree the proposal for 2012/13 the method should be reviewed each year and not automatically carried forward.

Mr Haley referred to the centrally retained budget position and commented on the 2010/11 underspend that was available for distribution during 2012/13, along with the projected underspend for 2011/12. A summary of the potential funding to be carried forward to 2012/13, totalling £590,000, was detailed in paragraph 3.5 of the report.

Reference was made to the revised funding scheme for Special Schools that was the subject of a report elsewhere in the agenda. Although a similar approach to funding the Borough's Special Resource Provision was to be developed, Mr Haley advised that it had not been possible to complete this for 2012/13 but it would be prepared for implementation in 2013/14. Nick Capstick (Secondary Head Teacher) commented on the number of Special Resource Provision (SRP) Units based in mainstream schools and stressed the need to ensure that SRP funding issues did not detrimentally impact on the mainstream schools.

The Chair referred to paragraph 5.4 of the report regarding the request for discretionary funding following the amalgamation of Gorse Hill Infant and Junior Schools. He proposed that the Forum's Sub-Group should consider the issue and provide advice to the Local Authority on behalf of the Forum. Members endorsed this proposal but stated that the Sub-Group would need to include a representative from each phase of education.

Mr Haley concluded by advising that individual school funding allocations would be issued as soon as possible, but certainly by 12<sup>th</sup> March 2012. Once 2012/2013 details had been cleared he would then consider future years to provide an indication of each settings funding levels for 2013/14 and 2014/15.

Resolved – That the Schools Forum:

(1) Notes and agrees the Local Authority's estimate of Swindon's 2012/13 Dedicated Schools Grant of £139.838m and the Pupil Premium of £3.829m settlements compared to the current year.

(2) Notes and agrees the Local Authority's proposals on how the Looked after Children Pupil Premium is to be utilized during 2012/13 but determines that there should be an annual review of the allocation method.

(3) Notes and agrees the Local Authority's proposed centrally retained budget requirement for 2012/13 of £18.015m.

(4) Agrees the changes in provision and funding of Special Resource Provision in main stream settings in 2012/13 which will result in additional costs of £325,000.

(5) Notes that local formula changes have been developed in consultation with the Schools Forum Sub-Group and Swindon Head Teacher Associations which are summarized in Section 5 of the report.

(6) Agrees to the use of retained underspends from 2011/12 to provide one off transitional support funding of £590,000 to limit individual school funding reductions arising from formula changes in 2012/13 to no more than 2.5%.

(7) Delegates authority to the Forum's Sub-Group to consider the request for discretionary funding following the amalgamation of Gorse Hill Infant and Junior Schools and to advise the Local Authority accordingly.

(8) Notes that the Local Authority estimates that £125.552m will be available for distribution via the local formula to schools and academies in 2012/13.

(9) Notes the conclusions and guidance relating to school funding beyond 2012/13.

## **29. Special Schools Funding Review**

Steve Haley presented a report to inform members of a new funding system for Special Schools. He advised that the revised system had been developed in conjunction with the Association of Swindon Special School Headteachers (ASSSH)

and would be implemented from 2012/13. Overall, the new funding formula provided a fairer way of allocating funds but the Local Authority appreciated the impact it would have on the two Behavioural, Emotional and Social Difficulties (BESD) schools that would have reductions in funding for the next three years because of the change. Peter Smith (Trade Unions) commented on the reduced budgets and the possibility of staff redundancies, with the subsequent impact on children.

Resolved – The Schools Forum:

(1) Notes the background, context and principles to the review of Swindon's Special School Funding system.

(2) Supports the Local Authority's proposed introduction of a new Special School Funding system with effect from 2012/13.

(3) Notes and supports the Local Authority's intention to develop a new methodology for the funding of Special Resource Provision for implementation with effect from 2013/14.

### **30. Local Formula Redistribution Issues**

The Forum considered a report by Steve Haley (Group Finance Manager) seeking support to a range of local formula redistribution changes that the Local Authority wished to implement with effect from 2012/13 following a consultation process with the Schools Forum Sub-Group and the three Swindon Associations of Head Teachers.

Mr Haley reminded members of the background to the report and referred them to Appendix A which provided an overview of the current funding of mainstream schools.

During 2011 the Department for Education undertook a consultation exercise which was critical of the complexity of existing local funding formulas and the Local Authority supported its view that the number of funding factors should be reduced. At the October meeting the Forum agreed changes to the re-distribution of certain funding streams and agreed in principle to others, subject to the Local Authority and the Forum's Sub-Group further developing the proposals on the basis that the allocations to individual schools were not significantly affected. Initial proposals were presented to the Forum in January but it was recognized that the cumulative effect of the changes would result in a significant reduction of funding for some schools and therefore further work was needed. The Sub-Group had since met on three occasions and there had also been meetings with the Headteachers associations to refine the proposals. The Local Authority believed that the changes now proposed for 2012/13 improved fairness without significantly affecting individual schools, although it was recognized that it would be detrimental to a small number of schools.

Mr Haley commented on the Authority's concern that some schools seemed unaware that areas of the funding formula were being reviewed. He referred to the various ways that information was disseminated but stressed that whilst the Local Authority had a requirement to consult with the Schools Forum, it was keen to improve communication with schools on financial matters and asked for suggestions from members on how this could be achieved. As an example, John Gilbert (Group Director Children) had suggested that an annual conference on school funding

including any consultation issues could be arranged around November time. Paul Boyles (Primary Governor) requested that all School Forum members be informed of when Sub-Group meetings were taking place in case they wished to attend. Julie Tridgell (Secondary Head Teacher) advised that it was not so much that schools didn't know what was happening, but that in view of the extent of the changes the period of notice was too short.

Peter Smith (Trade Unions) commented on the report, disputing the need to alter the current method of funding distribution. He remarked on how schools were already struggling to show improvement and stated that the proposed changes ignored the needs of pupils. Rachael Matthey (Secondary Head Teacher) stated that it was about two years since the Government had indicated that school funding arrangements needed simplifying. Historically, some Swindon schools had received additional grant funding to meet specific needs at that time. Other authorities that had not received any additional grant funding did not now have the problem of finding a fair way of re-distribution. Swindon had changed dramatically over the years and this needed to be reflected in the funding allocations. Wendy Conaghan (Secondary Head Teacher) advised that the Secondary Heads did not dispute that a re-distribution was needed but there was some concern at the length of notice given in view of the changes being considered.

Mr Haley referred members to paragraph 3.1 of the report and confirmed that the Sub-Group had considered the items listed in Table 1 individually, in relation to the options set out in paragraph 3.2. There had been consensus by the Sub Group and the Primary and Secondary Headteacher Associations on each of the elements and details were provided in Appendix B. Wendy Conaghan (Secondary Head Teacher) highlighted the fact that some schools would lose out but they would be supported by the Local Authority. Mr Haley further advised that to minimise the impact of the funding reduction, the small schools protection funding was being amended to support the four small schools affected. In addition, the underspends from 2011/12 of £590,000 would be used to provide one off transitional support funding to 12 primary and three secondary schools to ensure that no school would lose more than 2.5% of its annual funding as a consequence of the formula changes.

A schedule indicating how each setting would be financially affected by the changes, both before and after the transitional protection funding, was tabled at the meeting for Forum members. These schedules were handed in at the end of the meeting as each school would be receiving its overall 2012/13 funding statement over the next few days.

Resolved – That the Schools Forum:

- (1) Notes the background and context to the proposed local funding changes.
- (2) Notes that the Local Authority initiated a consultation process with each of the three Swindon Headteacher Associations which have shaped the proposals.
- (3) Notes the Local Authority's concerns that communication channels between the Local Authority, Schools Forum members and individual schools may not be as effective as they could be and provides comments as in the body of the minutes.
- (4) Supports the principles and methodologies proposed by the Local Authority relating to the re-distribution of various elements of formula funding.
- (5) Supports the implementation of local formula changes described in paragraphs 3.1 to 3.7 of the report including permanent increased protection for

small schools and the allocation of one off transitional support funding to ensure that no individual school will, as a direct result of these formula changes, lose more than 2.5% of annual funding during 2012/13.

(6) Notes that during 2012 the Local Authority will be undertaking an exercise to review whether alternative methods to free school meals (FSM) and Indexes of Multiple Deprivation (IMD) are more appropriate to distribute funding for Additional Educational Needs (AEN).

### **31. Date of Next Meeting**

The Forum noted that meeting dates for the next Municipal Year had yet to be finalised but that it was anticipated the dates would be at similar times to the current year.



**STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION**

**TUESDAY, 27 MARCH 2012**

**PRESENT:-**

<b>Group A:</b> Christian Denominations and Other Religions or Religious Denominations	Mr Arun Bedi (Sikh Community), Mr David Burbidge (Baptist Church), Mr Mark Cawte (Methodist), Mrs Sarah Lane Cawte (United Reformed Church), Reverend David Howell (Swindon Evangelical Alliance), Mr M S Khan (Muslim Community) and Mr Dinesh Patel (Hindu Community)
<b>Group B:</b> Church of England	Miss Janet French, Ms Steph Mundin and Mrs Penny Summers
<b>Group C:</b> Teacher Organisations	Mrs Tracy Mason, Miss Lottie Rowe, Mrs Mandy Sandleton and Mr Paul Sunners
<b>Group D:</b> Councillors	Councillors Doreen Dart, Claire Ellis and Raymond Fisher
Also in attendance:	Katy Staples (SACRE Advisor) and Paddy Bradley

Apologies for absence were received from Councillor Joe Tray, Reverend Norma McKemey, Mr Tony McAteer and Sarah Foulkes

**33. Welcome to the Meeting**

Mr Mark Cawte welcomed the SACRE to Emmanuel Church, and gave a brief history of the church.

**34. Declarations of Interest**

The Chair reminded the SACRE of the need to declare interests. No declarations were made.

**35. Public Question Time**

No public questions were submitted at the meeting.

**36. Chair's Announcements**

1. The Chair advised that a pack of letters had been circulated with the SACRE agenda, which were the responses received to a letter from the SACRE to the Prime Minister, Deputy Prime Minister, Secretary of State for Education, Local MPs, Archbishop of Canterbury, Archbishop of York and Bishop of London to raise the profile of RE and concerns about its lack of inclusion in the English Baccalaureate. The SACRE was pleased with the responses received, and wished to continue to promote the importance of RE in schools.

2. The SACRE Advisor had attended the South West SACRE Conference at Dillington House, and she reported back on key national developments, including a study on Pupils' perspective of studying RE, the national picture of the fall in RE examinations, the importance of continuing to support Religious Education in Academies via SACRE, and debates around the national curriculum.
3. The Chair advised that Mrs Penny Summers had acted as the SACRE's representative on the Children and Young People's Overview and Scrutiny Committee during the last year, and asked for the SACRE to confirm that it would wish her to continue in that role if a representative was required.  
Resolved – That Mrs Penny Summers be nominated as the SACRE's representative on the Children and Young People's Overview and Scrutiny Committee for 2012/13 if one is required.

### **37. Minutes**

Resolved - That the minutes of the meeting held on 6<sup>th</sup> December 2011 be approved as a correct record.

Further to Minute 27, the Clerk advised that Ms Judi Kingdon had decided not to continue with Membership on the SACRE, and therefore there was a further vacancy of the Teacher Associations Group since the last meeting.

### **38. SACRE Annual Report and Development Plan**

The SACRE received its draft Annual Report covering the period September 2010 to August 2011. This had been a particularly busy year for the SACRE in relation to the review of the Agreed Syllabus and Celebrating RE. The SACRE were pleased with the presentation of the Report, and the inclusion of pictures of the SACRE work, and local children's RE. Katy Staples advised that the report would be submitted to the NASACRE, which was collating reports from all SACREs.

The SACRE also received an update on its Development Plan, which would be revised at the next meeting in the light of the Annual Report.

Katy Staples (SACRE Advisor) presented the RE results in the Annual Report, and Paddy Bradley (Director of Schools and Learning) provided a further statistical breakdown to the SACRE and tabled an analysis of the results. He advised that:

- Of the 14 secondary and special schools and the Pupil Referral Unit with eligible pupils in 2010, 11 entered pupils for either the full or short course GCSE in RE. This declined to 9 in 2011.
- Seven schools entered students for both the long and short courses in 2010, but only 3 in 2011.
- In 3 schools, the number of students entered for long courses declined from 2010 to 2011.
- In 7 schools, there was a decline in the number of entries for short courses.
- However, overall there was an increase in the number of students entered for the full course GCSE in RE (323 out of a cohort of 2293, up 1.5%). This was

achieved through noticeable increases at two secondary schools.

- Across Swindon Schools, only 47.4% of students in Swindon were entered into any public examination, and three Swindon secondary schools did not enter any pupils for RE examinations at Key Stage 4 in 2011.

The SACRE discussed the extent to which the importance of RE in schools can be accessed by the choice to carry out examinations. Some members felt that as long as pupils had the opportunity to learn about religious beliefs, whether in formal examinations or through more integrated teaching the method did not matter. Other SACRE Members considered that offering examinations indicated the importance being placed in a school on the subject, and that this was likely to result in better quality teaching support for the subject. It was also difficult for the SACRE to check that schools were offering children the opportunity to study RE, whether formally or informally, and this was something that would need to be explored with head teachers and with academy trusts.

It was requested that a letter be sent to Head Teachers and the Academy Trusts, highlighting the requirement to teach RE, quoting from the letter received from the Minister for Education on the importance of RE, referring to the specific results for the school, and asking for information on how pupils were being access to RE.

It was also asked that a report be presented to Swindon's Children and Young People's Trust Board on access to RE in the Borough.

Resolved – 1) That the draft SACRE Annual Report attached as Appendix '1' to the Report be approved, and the SACRE Advisor be authorised to finalise the report, taking into account comments from the SACRE, and to distribute it to NASACRE and to local schools.

2) That the SACRE note its Development Plan as attached at Appendix '2'.

3) That the Chair of the SACRE, with assistance from the SACRE Advisor and Director of Teaching and Learning, write to Secondary School Head teachers, copied to the academy trusts where appropriate, as set out above.

4) That the Director of Teaching and Learning report to the Children's Trust Board on the SACRE's concerns about how access to RE in the Borough, and include a copy of the SACRE Annual Report.

### **39. Collective Worship Working Party**

The SACRE at its last meeting had set up a Collective Worship Working Party to review the guidance available for Collective Worship in Swindon, in the light of national best practice.

The SACRE Advisor reported back on the work of the Group, which had met on 8<sup>th</sup> February 2012. The Working Party had recommended that the new North Somerset guidance provided the best model for Swindon Schools, and permission had been obtained to use and adapt the guidance for local needs. The guidance as adapted was attached at Appendix '1' of the report. It had also been agreed by the Working

Group that a competition should be held, with local pupils being invited to submit wise quotations and inspiring pictures which could be included in the final guidance document.

The SACRE welcomed the document, and thanked that Working Group for its work to date. It was agreed that the Group would meet on one further occasion to finalise the guidance.

Resolved– 1) That the SACRE endorse the recommendation of the Collective Worship Working Party, that the Guidance set out at Appendix 1 to the Report be used as the new Swindon Collective Worship Guidance to be offered to Swindon Schools.

2) That the SACRE Advisor be authorised to complete amendments to the Collective Worship Guidance, in consultation with the Collective Worship Working Party, to include quotations and pictures provided through the competition in local schools, and to promote the finalised Collective Worship Guidance to Swindon Schools.

#### **40. National Developments in RE**

The SACRE received a report on national developments in Religious Education (RE).

The report set out the new Ofsted Framework for school inspections from January 2012, and the specific grade descriptors for RE, and an example of an Ofsted exemplar of Outstanding Secondary Practice in RE.

The SACRE agreed that the descriptors set a very high bar for achievement in RE for schools which in many cases would be aspirational. There was some concern that the exemplar material provided only related to integrated provision of RE, as it was felt that where specialist RE teaching was not available it was more difficult to ensure that the requirements of the locally agreed syllabus were met in an integrated provision. The SACRE was, however, encouraged that Ofsted Inspectors were asking to attend RE lessons as part of their regular inspections.

It was noted that an all-party Parliamentary Group had been set up for the safeguarding of RE, and the SACRE was provided with a copy of a sample letter which could be used as a template to encourage local MPs to join the Group.

Resolved - 1) That the report be noted.

2) That a letter be sent to the Local MPs to encourage them to join the all Parliamentary Group on the safeguarding of RE.

#### **41. Update from Network Meetings**

The SACRE received the minutes of the Humanities, Teaching and Learning Group for RE, and Ms Lottie Rowe reported back on the last meeting. It was noted that it had been a really useful meeting, discussing best practice, ideas and resources for the specific RE examination boards. Ms Katy Staples confirmed that she was hoping to attend and support future meetings of this Group.

Ms Katy Staples reported back on the last meeting of the Primary Network which had met on 19<sup>th</sup> January 2012, and had focused on developing spirituality in RE, in particular in the context of the new Ofsted Framework.

Resolved – That the update on the Network Meetings be noted.

#### **42. Future Meetings**

The following meetings of the SACRE for the Municipal Year 2012/13 were expected to be confirmed by Annual Council: 17<sup>th</sup> July 2012, 25<sup>th</sup> September 2012, 4<sup>th</sup> December 2012, and 19<sup>th</sup> March 2013, with all meetings taking place at 6 pm.

Ms Tracy Mason offered to host a future meeting at Crowdys Hill School and would contact the Clerk to make arrangements.

Ms Lottie Rowe advised that her class was hosting an Interfaith Workshop on 23 May 2012, 1 - 4 pm, and invited members of the SACRE to contact her if they wished to attend.

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## **Section 5**

# **Police and Fire Authorities Minutes**

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**WILTSHIRE POLICE AUTHORITY**

MINUTES of a MEETING held at POLICE HEADQUARTERS, LONDON ROAD, DEVIZES on THURSDAY 9<sup>TH</sup> FEBRUARY 2012

**PRESENT:** Mr C Hoare (Chairman), Mr R Bluh, Mr R Britton, Mr C Caswill, Mr B Fishlock, Mr B Ford, Ms J Hillyer, Mr R Holland, Mr C Humphries, Mr A Johns, Mr A Macpherson, Mrs G Mortimer, Mr R Rogers, Mr P Sample, Mrs C Soden, and Mrs G Stafford.

**IN ATTENDANCE:** Chief Constable B Moore, DCC P Geenty, ACC M Veale, Mr C Barker, Mr K Kilgallen, Mr M Prince, and Miss S Kyte

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1. **Membership** The Chief Executive reported the Membership as follows:

**Local Authority Members**

*Conservative*

Mr R Bluh

Mr R Britton

Mr B Ford

Mr R Holland

Mr C Humphries

Mrs C Soden

*Labour*

Ricky Rogers

*Liberal Democrat*

Mr C Caswill

Mr P Sample

**Independent Members**

Mr B Fishlock

Mr C Hoare

Ms J Hillyer

Mr A Johns

Mr A Macpherson

Mrs G Mortimer

Mrs G Stafford

Ms G Tawiah

2. **Apologies** Apologies for absence were received from Ms Tawiah.
3. **Public Questions** There were none.
4. **Declarations of Interest** There were none.
5. **Chairman's Announcements** There were none.
6. **Minutes of the Meeting held on 8<sup>th</sup> December 2011**  
Page 5, 4<sup>th</sup> bullet point: Ms Hillyer stated that the victim of crime she had referred to was from another force area and requested that the minute be amended to state this.
- Resolved:**
- 1) *To insert '...in another force area...' on Page 5 at bullet point 4 after 'victim of crime' in the first line.*
  - 2) *With the above amendment to agree and sign the minutes of the meeting held on 8<sup>th</sup> December 2011.*
7. **Outstanding Actions**  
*3<sup>rd</sup> November 2011, Minute 7.2:* The WPA and Force risk registers would be considered at the next meeting of the Joint Strategic Board.
- 3<sup>rd</sup> November 2011, Minute 8.5:* The Chief Executive stated that assurance had been received that planning permission was not required in order for policing facilities to be based at Monkton Park, Chippenham, although signage may be an issue. Mr Caswill stated that he felt there were still some issues and concerns to

be resolved and although an estate meeting had been arranged for 10<sup>th</sup> February 2012, no agenda or papers had yet been made available.

*3<sup>rd</sup> November 2011, Minute 11.3:* Until recently there had been no items recorded on the Gifts and Hospitality Register since 1<sup>st</sup> November 2010. The relevant information would now be uploaded onto the website as a declaration had recently been received.

*8<sup>th</sup> December 2011, Minute 9.3:* The confidence in partners' measure had been reinstated.

*8<sup>th</sup> December 2011, Minute 19.i:* A further press release had been published stating the Authority's intention to Judicially Review the decision made by the Police Appeal Tribunal. The Chief Constable confirmed that staff were aware of this decision.

*8<sup>th</sup> December 2011, Minute 21:* The confidential Olympics report submitted to the December meeting had now been declassified and would be uploaded to the WPA website.

*8<sup>th</sup> December 2011, Minute 22.ii.2:* This had been done and the action may be closed.

*Resolved:* *To note the verbal updates provided on the outstanding actions and to update as detailed above.*

#### 8. **WPA and Force Risk Register**

*Risk 9.10 (Not receiving the views of hard to reach and vulnerable members of the community):* Following an update provided to the recent meeting of the Community Engagement Working Group, the impact of this risk had been reduced from 5 to 4, providing an overall score of 24 and orange.

The Deputy Chief Constable stated that the one risk graded as red on the Force risk register related to the Equality Act. The Force had complied with the first part of the Act and all equality data had now been published on the Force website. The first meeting of the Strategic Diversity Board had also taken place and as a result of these two actions, the Deputy Chief Constable expected the risk score to reduce.

*Resolved:* *To note the updates provided.*

#### 9. **Chief Constable's Performance Report 2011-12** A report by the Chief Constable covering the period 1<sup>st</sup> April to 31<sup>st</sup> December 2011 had been circulated. The Chief Constable stated that the overall performance status of the Force was 'good' and proceeded to provide a verbal update highlighting areas of good and poor performance.

##### Strategic Priority 1: Tackling Violent Crime

- Satisfaction for Victims of Violent Crime – the Assistant Chief Constable had been working on this and a clear picture of methodology had now emerged which would be used to improve this further. Since the last report the grading had moved from red to amber.
- Violent Crime recorded within 72 hours – 97.1% of violent crime was recorded within 72 hours in December which may enable the Force to meet this target by the end of the financial year.

### Strategic Priority 2: Managing those who cause the most harm in our communities

- Distraction Burglary Detection Rate – current performance was 10.8% compared to a target of 30.1%. Sixteen further detections are to be included in the figures for next month, which would provide the Force with a detection rate of 45%.
- Repeat Cases through MARAC (mult-agency risk assessment conference) – currently performing at 31.6% against a target of 25.3%. A discrepancy in the number of referrals between Wiltshire and Swindon had been identified due to Wiltshire submitting high risk victims only. Wiltshire have amended the way they manage this process as from 1<sup>st</sup> January 2012 which should reduce the discrepancy in figures between the two areas.

### Strategic Priority 3: Reduce Anti-Social Behaviour and Associated Local Crime

- Vehicle Crime – although currently performing well there had been some significant rises in this area which were being reviewed.
- Speedwatch Checks – this area was performing well and Swindon Borough Council had now also agreed to be involved with this.
- All Crime Resolved Rate – the figures had remained stable or falling for four weeks running, but the Chief Constable was not confident that the target of 29.1% would be met by the end of the financial year.
- Assurance Review of Anti-Social Behaviour – the Force conducted a review of anti-social behaviour in October 2011 using the HMIC criteria and identified six areas as poor. Work was now underway to try and improve these areas in time for the HMIC Inspection in March 2012.
- Criminal Damage – although unlikely to achieve target by the end of the financial year, it was anticipated that the Force would be performing better than its most similar group of forces.

### Service Delivery

- Call Back Compliance – good progress had been made in this area and performance had moved from red to amber. The Chief Constable stated he was confident that the target would be met at the end of the financial year.

The satisfaction gap between white and black and minority ethnic victims as at September 2011 showed a difference of 15.8% against the  $\pm 4\%$  tolerance. The reason for the significant growth was not known but had been referred to the Force Customer Relations and Public Engagement Group for review.

The Chief Constable also reported on the following:

- Operation Pinnacle is a direct result of work conducted by the Assistant Chief Constable in raising performance for victim satisfaction which sees police attendance at low-level minor criminal damage incidents. Intelligence and better forensics had already been obtained and although it was too early to report on impact on performance, feedback from the public had been positive. The Chief Constable stated he would report on this again at a future meeting.
- Complaints had been received from the public with regard to youths on quad bikes, scramblers, and mini-moto's driving dangerously in an area in Swindon. PCSO Kuy Harrison had tackled this seizing nine of the items. This had been reported to and covered by the media.

- The Domestic Violence Prevention Order pilot had now been running for six months and the 100<sup>th</sup> Domestic Violence Prevention Notice issued.
- A £4.8million confiscation order had been made against an individual from Swindon recently convicted for fraud.
- A man had been sentenced to 9 years in prison for distraction burglary. This was as a result of proactive policing by Wiltshire and Thames Valley Police. The offender asked for a further 90 cases to be taken into account, 16 of which had occurred within Wiltshire.
- A day of action for the targeting of metal thefts was held on 30<sup>th</sup> January 2012 (Operation Herald). A number of partner agencies were involved. Ten arrests had been made and property recovered including a cash seizure.

The Chairman then invited Members to comment:

- Mrs Soden stated she had heard on the local radio that 15,000 motorists were caught speeding in the county last year, but only 6,000 cases reached court. The Chief Constable responded that there were a number of contributing factors for why the number of those reaching court was low. One of those factors was that Speedwatch was still a relatively new initiative and it would take a period of time for repeat offenders to show on the system. The criteria used by the Crown Prosecution Service would also need to be successfully applied before a prosecution could be brought.
- Mrs Stafford sought reassurance that the Force was not over achieving on urban response times at the expense of rural response times. The Assistant Chief Constable stated he would provide some additional information to Mrs Stafford on response times.
- Mrs Mortimer informed Members that Strategic Priority 4 (creating a sustainable policing model for Wiltshire) was currently reported through the Force Change Management Board but felt that performance against this should be reported in the public domain. The Chief Constable was asked to provide a report for the next Police Authority meeting and to ensure that if the report were confidential then a public report should also be published.
- Mr Caswill asked what work was being done on improving those 14 areas identified as fair within the Force's self-assessment of anti-social behaviour. The Chief Constable stated that the majority of these referred to partnership working (such as tasking processes, information sharing protocols) where there was some evidence that links existed. The current focus was on increasing performance in those areas graded poor.
- With regard to the whole performance of the Force, Mr Macpherson stated that it was pleasing to note the green and excellent areas within the report. The methodology used to create the balance scorecard was a good system which was now maturing but it was still important to ensure that the weighting and balance was correct at the top level. Operation Pinnacle was as a result of poor performance highlighted through this methodology but was only identifiable several layers below the top scoring headlines. Credit should be given to the Performance Analysts for the work that they are doing. Mr Macpherson encouraged Members to drill down into performance information provided and to challenge the Force on its performance if they identify any red areas.

- Resolved:
- 1) *To note the content of the report and the verbal update provided by the Chief Constable.*
  - 2) *That the Chief Constable would report on Operation Pinnacle at the next Authority meeting.*
  - 3) *That the Assistant Chief Constable would provide additional information to Mrs Stafford on Force response times for urban and rural areas.*
  - 4) *To request the Force to produce a report on performance against Strategic Priority 4 (creating a sustainable policing model for Wiltshire) for the next Police Authority meeting. If the report is deemed confidential a version suitable for publication in the public domain should also be produced.*
  - 5) *To recognise the good performance of the Force and the work being done by the Performance Analysts.*

10. **Revenue and Capital Budget Monitoring Statements** A report by the Chief Constable had been circulated attaching the revenue and capital monitoring statements to end of December 2011. Members raised concern about the retirement of Police Officers and the loss of experience, skills and knowledge. Whilst some Police Officers had been appointed from other Forces in an effort to resolve this matter, there were still some gaps. This was being addressed through sensible succession planning and the training and skilling of Officers as necessary against vacancies and being monitored monthly by the Force. Members asked for the Value and Productivity Group to continue to monitor this.

- Resolved:
- 1) *To note the revenue and capital budget monitoring statements and the projected favourable variance of £3.620million in the revenue budget.*
  - 2) *That the Value and Productivity Group would continue to monitor the issue of retirement of Police Officers and loss of experience, skills and knowledge and how the Force would continue to manage those gaps.*

11. **Revenue Budget 2012-13** A report by the Chief Constable had been circulated. The Head of Finance and Logistics informed Members that there were no immediate threats to the Authority's financial plans, but implications of the Winsor Review and reduced central funding due to pay being capped would effect the 2013-14 budget. Confirmation from the Government on capital funding was still awaited.

Mr Macpherson stated he was content to approve the proposed budget figure for 2012-13 but would like to see a more detailed budget linking expenditure to Policing Plan objectives.

- Resolved: *To note the content of the savings plan and support the approval of a budget requirement of £103.064million and to request further information aligning the budget to the Policing Plan to be submitted to the Police Authority meeting to be held on 27<sup>th</sup> March 2012.*

12. **Precept and Council Tax** A report by the Treasurer had been circulated. The Treasurer informed Members that the grant figures had now been confirmed and were as set out in the report.



- Resolved:
- 1) *Approve the Treasurer's assessment of the robustness of the budget and the adequacy of reserves as described in Paragraphs 8-15 of the report.*
  - 2) *To approve a net revenue budget of £103.064million for 2012-13 which, after Government funding, would mean a precept of £40.098million and a Council Tax for policing services for all property bands based on £157.77 for Band D properties, representing a percentage increase of 0% on 2011-12.*

**13. Treasury Management Strategy** A report by the Treasurer had been circulated.

- Resolved:
- 1) *To adopt the Prudential and Treasury Indicators as set out in Appendix A of the report.*
  - 2) *To adopt the Investment Strategy as set out in appendix B of the report.*
  - 3) *To agree that operating leases of up to £0.5million could be used to assist in financing the Police Authority's 2012-13 capital plans when necessary.*
  - 4) *To agree that short term cash deficits and surpluses continue to be managed through temporary loans and deposits as detailed in Paragraphs 14-16 of the report.*
  - 5) *To agree that, for longer term cash balances, the Treasurer continued to be delegated to negotiate the terms and conditions of any external arrangements and to note and endorse the delegated decision taken as described in Paragraph 20 of the report.*

**14. Committee Reports**

<u>Meeting</u>	<u>Date</u>
Audit and Risk	13 <sup>th</sup> December 2012
Strategy, Direction and Progress	24 <sup>th</sup> January 2012
Professional Standards	26 <sup>th</sup> January 2012

*Strategy, Direction and Progress:* The Chief Executive updated Members on the latest situation with regard to the National Police Air Service project. The current target date for Wiltshire joining the project was April 2013. Members asked for regular briefings on this in order that they may provide appropriate updates to their Area Board / Locality Area.

- Resolved:
- 1) *To note the updates provided by the Committee Chairmen.*
  - 2) *To note receipt of the Annual Audit Letter as attached to the minutes of the Audit and Risk Committee meeting.*
  - 3) *For Members to receive regular updates on the progress of the National Police Air Service project.*

**15. Group Reports**

*Value and Productivity Group:* Ms Hillyer provided a brief update to Members on the current work of the Group. There are big challenges ahead for the Force through the Change Management Programme and Vision Wiltshire and a requirement for more substantial project management expertise to be brought into

Force to help move things forward. Governance and collaboration issues were still being discussed and progressed by the Group.

The Deputy Chief Constable informed Members that project management support for the operational services and people services elements of Vision Wiltshire had been sought and were being sourced from Wiltshire Council and should be in place shortly.

*Budget Action Group:* There was nothing further to report as the main issues for the Group had been discussed elsewhere on the agenda.

*Joint Strategic Board:* Mr Macpherson informed Members that a Partnership Board was in the process of being set up and would be chaired by the WPA Chairman.

*Community Engagement Working Group:* Mr Humphries informed Members that a presentation on the Neighbourhood Policing Team Review had been delivered by the Force.

Resolved:     *To note the updates provided.*

**16. Conferences and Meetings Attended by Members since the Previous Meeting, and Future Conferences / Seminars**

Policing Plan Consultation with MPs

Mr Macpherson informed Members that he had recently met with all five MPs from Wiltshire and Swindon (on an individual basis) to seek their views on the Policing Plan content for 2012-15. In general all MPs felt that the Force were doing a good job and wanted to highlight this. Rural crime had been raised as an issue and the localities and campuses project were broadly supported. There was a desire to work closely with local partners but the MPs were clear that policing must remain in Wiltshire and under the control of the Chief Constable.

Mr Macpherson stated he would be feeding the responses into the consultation phase of the Policing Plan.

The Chief Constable informed Members that if Members wished he would arrange for the Rural Crime Team to deliver a presentation on the work that they do at a future Members Briefing Session.

Resolved:     1)     *To note the feedback from Mr Macpherson in relation to his meeting with the MPs.*

2)     *To ask the Force to arrange for the Rural Crime Team to deliver a presentation to Members at the next Briefing Session on the work that they do.*

**17. Dates of Police Authority Meetings in 2012**

**2012**

19<sup>th</sup> April

Resolved:     *To note that the Strategy, Direction and Progress meeting planned for 27<sup>th</sup> March 2012 would become a full Authority meeting.*

**18. Urgent Items**

i.     WPA Community Award

The Chairman reminded Members that nominations for the WPA Service to the Community Award were currently being sought. The closing date for receipt of nominations is 2<sup>nd</sup> March 2012.

Resolved: To note the reminder from the Chairman about the WPA Awards and the closing date as 2<sup>nd</sup> March 2012.

**19. Exclusion of the Public**

Resolved: In accordance with Section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Items 20-22 below because it is likely that if a member of the public were present there would be disclosure to them of exempt information as defined in Paragraphs 1 and 7 of Schedule 12A to the Act.

**20. Confidential Minutes of the Meeting held on 8<sup>th</sup> December 2011**

Resolved: To agree and sign the confidential minutes of the meeting held on 8<sup>th</sup> December 2011.

**20a. Committee Reports**

<u>Meeting</u>	<u>Date</u>
Audit and Risk	13 <sup>th</sup> December 2012
Professional Standards	26 <sup>th</sup> January 2012

Resolved: To note the updates provided.

**21. Individual Gift** A copy of the report submitted to the December meeting of the Audit and Risk Committee had been circulated.

Resolved: That the Authority would accept the gift.

**22. Tri-Force Specialist Operation Unit** The Assistant Chief Constable provided an update to Members on a meeting with Avon and Somerset which was also attended by the Chief Executive and Mr Cooper. A summary of the meeting had been produced and would be submitted to the Authority in due course.

Resolved: To await receipt of the summary of the meeting with Avon and Somerset Constabulary.

(Duration of Meeting: 10.30am to 12.55pm)



## **WILTSHIRE POLICE AUTHORITY**

MINUTES of a MEETING held at POLICE HEADQUARTERS, LONDON ROAD, DEVIZES on TUESDAY 27<sup>TH</sup> MARCH 2012

**PRESENT:** Mr C Hoare (Chairman), Mr R Bluh, Mr R Britton, Mr C Caswill, Mr B Fishlock, Mr B Ford, Ms J Hillyer, Mr R Holland, Mr C Humphries, Mr A Johns, Mr A Macpherson, Mrs G Mortimer, Mrs C Soden, Mrs G Stafford, and Ms Tawiah.

**IN ATTENDANCE:** T/DCC M Veale, Mr C Barker, Mr K Kilgallen, Mr M Prince, and Miss S Kyte

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1. **Apologies** Apologies for absence were received from Mr Rogers.
2. **Public Questions** There were none.
3. **Declarations of Interest** There were none.
4. **Chairman's Announcements** There were none.
5. **Annual Policing Plan 2012-15** A copy of the final draft Policing Plan 2012-15 was circulated to Members who commented as follows:
  - Although document feels 'wordy' it was recognised that this is what the Authority will use to hold the T/Chief Constable to account for delivery of policing in Wiltshire and Swindon. As in previous years, a summary would be produced.
  - Details of the budget for 2012-13 were given on Page 12 of the document and referred to a figure of £125.5million when a budget of £103million had been set by Members. The Treasurer stated that the higher figure included specific grants received by the Authority although it had been identified that these had potentially been included twice. Members were content that the budget section include the figures for specific grants but it should clearly refer to the budget set by Members at the February meeting of £103million and the additional funds received through specific grants.
  - It was pleasing to see the inclusion of pie charts as the pictorial information they provided was quicker and easier to digest than text.
  - The figures detailed in the pie charts should be rounded up or down.
  - Consideration should be given to providing further explanation to the meaning of the terms local policing and protective services as detailed in the graph on Page 13 as these terms would not mean much to the public as they currently stood.
  - The Authority needs to ensure that the document is written in plain English so that the public can understand it.
  - The Equality and Diversity section should be expanded further so that the section provides substance to the overall Plan and the membership of the Strategic Diversity Board should also be included.
  - Final paragraph on Page 16 should be included under the 'Improving Technology' heading.

- To explore whether there was another way of expressing the current position with the Chief Officer Team as the use of 'temporary' does not imply a permanent solution.
- Local Authorities should be included in the list of those talked to when preparing the Plan.
- Mr Bluh questioned the ordering of some of the items as anti-social behaviour was a key priority for the public yet does not feature until further down the list underneath the heading 'Our First Aim'.
- Metal theft was also an issue for the public and did not appear to be addressed in the Plan.
- Page 1 refers to Wiltshire having the 'lowest level of violence against the person in England and Wales'. What happens if during the next financial year Wiltshire's position changes?
- Need to ensure that it is clear from the Policing Plan that although there are areas of the business that will receive particular attention, there was still an overall commitment to tackling crime.

The Head of Finance stated that in recent years the police service had been working with the Chartered Institute of Public Finance and Accountancy to produce a standard set of data which was known as the Police Objective Analysis (POA) which helped to assist in providing information on what was considered a national standard. The Head of Finance was looking at aligning the budget in due course to the POA which would assist in aligning the budget to the Policing Plan. The most recent POA was circulated in October 2011 and a copy would be circulated to all Members for information.

Resolved:

- 1) *To give delegated authority to the Authority Chairman, Joint Strategic Board Chairman, and the Chief Executive to issue a final version of the WPA Annual Policing Plan 2012-15.*
- 2) *That the Head of Finance would arrange for a copy of the Police Objective Analysis produced in October 2011 to be circulated to all Members.*

6. **Neighbourhood Justice Panels** A report by the Chief Constable had been circulated. Members were informed that the T/ACC was leading on this for the Force with C/Supt Armstrong. Ms Hillyer reported that she and Mr Macpherson had met with Inspector Paul Saunders (who is the locally embedded Inspector with Swindon Borough Council) and Simon Evans (Swindon Borough Council) and felt this was a positive initiative to be pursued although it should be noted that there were some issues to be resolved. These issues included agreeing with the Courts on how records for this process would be kept, the Crown Prosecution Service had not yet signed up to this, and that an answer should be sought from the T/Chief Constable on who the Force Champion was for Local Resolution. It was important that the Force Champion provided the link between local resolution and Neighbourhood Justice Panels and that there was no separate storage of data or operating in silos. Cllr Bluh stated that he was aware the Swindon Community Safety Partnership were working on this initiative but it had not yet been to Cabinet for approval.

The T/DCC stated he was familiar with the role of Neighbourhood Justice Panels and had seen them in operation in another area. The Panels assist in providing a proportionate and local response to local low level crime and were well received by the community in which they had operated.

Resolved: *To note the content of the report.*

**7. Brief Updates on Following Items:**

Tri-Service Specialist Ops Unit

The T/DCC reported that the collaboration team had nearly completed the scoping exercise and that the business case was due to be delivered at the end of March. It would then be submitted to those Forces involved for full consideration. The T/DCC would be meeting with the Chief Executive in the near future to discuss the matter and identify those savings to be made. A further update would be provided at the Authority meeting in April.

Establishment of Estates Delivery Board

The Chief Executive reported that a Joint Estates Board had been established which met in early March with a primary focus on Monkton Park, Chippenham. The WPA Lead Member for Estates was Mr Macpherson and local WPA Members would be invited to attend meetings of the Board when estate matters arise pertinent to their geographical area.

In order for Monkton Park to be treated as a Police Station rather than office accommodation, Members of the Joint Estates Board had decided to apply for planning permission although technically this was not required. Some Members felt that this was unnecessary but Mr Caswill stated that the Members of the Joint Estates Board felt it would be prudent to do so.

Resolved: 1) *That a further update on the tri-service specialist ops unit would be given at the April meeting of the Authority.*

2) *To note the verbal updates provided.*

**8. Dates of Police Authority Meetings in 2012**

**2012**

19<sup>th</sup> April

14<sup>th</sup> June

20<sup>th</sup> September

1<sup>st</sup> November

Resolved: *To note that the venue for the April and September meetings of the full Authority would be Melksham.*

**9. Urgent Items** There were none.

**10. Exclusion of the Public**

Resolved: *In accordance with Section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Items 11-12 below because it is likely that if a member of the public were present there would be disclosure to them of exempt information as defined in Paragraphs 3 and 4 of Schedule 12A to the Act.*

11. **Swindon Community Safety Partnership** A confidential report by the Chief Constable was circulated and the following concerns raised by Members:

- Community Safety Partnership funding would be received by the Police and Crime Commissioner from 2013-14 onwards.
- Licensing had been withdrawn from this proposal but it was not clear why, particularly when it was felt that inclusion of this would provide further savings.
- Are warranted officers included within the new service?
- There would appear to be the loss of a Prevent Officer from the old structure to the new and it was not clear where this workload had been transferred to.
- The paper did not provide enough detail on how the Partnership's workload would change under the new structure and what, if anything, would not be done in the future that had been done previously.

Resolved: *To ask the Force to bring a further report to the April Police Authority meeting addressing Members' concerns and providing a detailed explanation of the outcomes achieved by the Community Safety Partnerships and the work that they do to bring about the outcomes.*

12. **Special Priority Payments** A confidential report by the Chief Constable which had been considered at the March meeting of the Value and Productivity Group had been circulated.

Resolved: *To approve the amendment of the current scheme to allow the continuation of an 'equivalent special priority payment' scheme for on-call arrangements for a period of three months effective from 1<sup>st</sup> April 2012 at a cost of £44k with a view to receiving a further report in May showing how the introduction of a replacement on-call scheme under Winsor Part II is likely to affect Wiltshire and how the introduction of unsocial hours enhancement payments under Winsor Part I impacts the current variable rate special priority payments arrangements.*

13. **Urgent Items** The Chairman agreed to accept the following as an urgent item.

i. Proceeds Under Police Property Act 1897

A report by Mr Macpherson was circulated. .

- Resolved:
- 1) *To note the distribution of funds in the current year.*
  - 2) *To request payment of £5k to Victim Support as soon as possible.*
  - 3) *To lift the restriction of grants made by the Community Foundation only to registered charities.*
  - 4) *To ask the Community Foundation to consider the totality of support to applicants given by the Police Authority in any year.*
  - 5) *To make a transfer to the Community Foundation of £45k.*

- 6) *To request the completion of contracts with both the Wiltshire Bobby Van Trust and SPLASH within three months of the date of this meeting.*

ii. Operation Yellowstone

The Chairman stated that notification was received Friday afternoon (23<sup>rd</sup> March 2012) that the Sunday Times would be running an article in relation to Operation Yellowstone.

Resolved: *To note the verbal report by the Chairman.*

(Duration of Meeting: 2.00pm to 3.55pm)

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## **WILTSHIRE POLICE AUTHORITY**

MINUTES of a MEETING held at MELKSHAM DIVISIONAL HEADQUARTERS, SEMINGTON, on THURSDAY 19<sup>TH</sup> APRIL 2012

**PRESENT:** Mr C Hoare (Chairman), Mr R Britton, Mr C Caswill, Mr B Fishlock, Mr B Ford, Mr R Holland, Mr C Humphries, Mr A Johns, Mrs G Mortimer, Mr R Rogers, Mr P Sample, and Mrs G Stafford.

**IN ATTENDANCE:** T/Chief Constable P Geenty, Mr M Bennion-Pedley, Mr K Kilgallen, Mr M Prince, and Miss S Kyte

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1. **Apologies** Apologies for absence were received from Mr Bluh, Ms Hillyer, Mr Macpherson, Mrs Soden, and Ms Tawiah.

2. **Public Questions** There were none.

3. **Declarations of Interest** There were none.

4. **Chairman's Announcements**

T/Assistant Chief Constable James Vaughan

The Chairman informed Members that T/ACC James Vaughan had been successful in his application to the substantive ACC post with Dorset Police and would be leaving Wiltshire Police mid-May. The Chairman was currently in discussions with the T/Chief Constable on how this vacancy would be filled.

Annual Policing Plan 2012-15

The Policing Plan had been issued to the Home Office but not yet published within the public domain. The document was currently with the reprographics department for design and would be published shortly.

Resolved: *To note the updates provided by the Chairman.*

5. **Minutes of the Meeting held on 9<sup>th</sup> February 2012**

Resolved: *To agree and sign the minutes of the meeting held on 9<sup>th</sup> February 2012 as a true and accurate record.*

6. **Minutes of the Extraordinary General Meeting held on 27<sup>th</sup> March 2012**

Resolved: *To agree and sign the minutes of the extraordinary general meeting held on 27<sup>th</sup> March 2012 as a true and accurate record.*

7. **Outstanding Actions**

9<sup>th</sup> February 2012, Minute 9.3: Mrs Stafford stated that she had not yet received the requested information.

9<sup>th</sup> February 2012, Minute 22: The Tri-service Specialist Ops Unit would be discussed at Agenda Item 13.

27<sup>th</sup> March 2012, Minute 5.2: The Assistant Chief Officer stated he would liaise with the Head of Finance and arrange for this information to be circulated to Members.

Resolved: *To note the updates provided on the outstanding actions and to update as detailed above.*



8. **WPA and Force Risk Register**

*Risk 10.10 (Continued Diligence – can the Police Authority maintain an efficient and effective force pending the arrival of Police and Crime Commissioners):* The Chairman informed Members that he and the Chief Executive would be meeting with HMIC on 20<sup>th</sup> April 2012 to discuss WPA preparedness for the arrival of Police and Crime Commissioners. A briefing pack had been designed for HMIC and a copy of this would be circulated to all Members.

Force Risk Register

A copy of the Force Risk Register as at 31<sup>st</sup> March 2012 had been circulated to Members as well as the Risk Register for 2012-13. The T/Chief Constable reported that:

- 11 risks had been carried forward to the new Risk Register;
- 5 risks had been closed and removed; and
- 2 risks had been incorporated into new risks (*Risk 3.3 Identifying Vulnerable Victims and Risk 3.4 Integrated Offender Management*).
- No risks were currently graded red.

*Risk 2.3 Senior Management Resilience:* Members queried whether due to the imminent departure of the T/ACC the grading of this risk should be reconsidered. The T/Chief Constable stated he felt there were a number of options available for the filling of this post that would ensure the resilience of the Chief Officer Team.

Resolved:

- 1) *To note the updates provided.*
- 2) *For the HMIC Briefing Pack for Police and Crime Commissioners to be circulated to all Members.*

9. **Revenue Budget Monitoring Statements** A report by the Chief Constable had been circulated attaching the revenue monitoring statement to end of February 2012.

Mr Fishlock stated that the current rate of spending by the Force over the first 11 months of 2011-12 would indicate that the underspend was likely to be closer to £6million although reassurance had been given by the Head of Finance that he was robust in his forecasting. However, should this prove not to be the case, the Authority would need to demonstrate to the public what the Authority's plans are for these reserves (especially when these are considered with the £4m underspend for 2010-11). In order to ensure consistency and where differing views of the level of underspend may arise from, the Force was asked to produce the same monitoring statement used throughout the year for the final year end figures.

Mr Caswill stated that he had identified that from April 2010 to December 2011 there was only one month where the full complement of PCSOs were in place. He felt there was an opportunity to over recruit on PCSOs to ensure numbers were kept consistently high and would welcome the opportunity to have this debate. The Assistant Chief Officer stated that the response model was currently running well on fewer numbers than anticipated which may allow for some flexibility in the supporting of Neighbourhood Policing Teams (NPTs) and that the review of NPTs was currently being carried out and the results awaited. These issues would be considered at the Change Management Board meetings which were also attended by the Police Authority. This was welcomed although it was felt that any debate around PCSO numbers should be held in the public domain.



- Resolved:
- 1) *To note the projected underspend of £3.998million.*
  - 2) *To ask the Force to produce the revenue statement for 2011-12 in the same format as the monitoring statement which is considered by Members throughout the financial year.*
  - 3) *To note that any debate on the recruitment and maintaining of PCSO numbers should be held within the public domain.*

10. **Creating a Sustainable Policing Model for Wiltshire** A report by the T/Chief Constable and a powerpoint presentation was circulated to Members which the Assistant Chief Officer spoke to. The report and the presentation would be submitted for discussion at the forthcoming Value and Productivity Group meeting. The key points to note were:

- Savings of £6.3million had now been confirmed. This exceeded the savings target by £1.7million.
- In relation to performance, the Force was continuously exceeding the 85% target for immediate and priority response and was performing well in relation to 'time out of station'.
- Appendix A of the written report detailed 8 programme strands. Of these:
  - The Laminated Squeeze, and Operational Development and Integration were mostly completed;
  - Community Problem Solving and Integration, People and Cultural, and PCC Transition / New Governance Model were live;
  - Criminal Justice Efficiency Programme would commence with the next Change Management Board meeting;
  - Estate Rationalisation would commence within the next couple of months; and
  - Customer Contact and Initial Service Fulfilment would be scoped in due course.
- Appendix B of the written report provided information on savings identified and confirmed towards the 2012-13 target and the full savings target.

Mrs Stafford reported that a huge amount had been achieved and despite resistance to changes such as shift patterns and mobile and remote working, the new policing model appeared to be working well. The Chief Officer team should ensure these positive messages are communicated to staff. The T/Chief Constable stated that he had an internal message which he would be circulating to staff this week on this very subject.

Mr Caswill asked that following the discussion on this report at the Value and Productivity Group meeting, the Group's comments should be reported to a Strategy, Direction and Progress Committee meeting so that this can then be reported on within the public domain. Mrs Mortimer stated it would be useful if a framework for the reporting on change management information could be created to ensure Authority meetings were programmed into this so that discussions were held in the relevant forum which should always be within the public domain.

- Resolved:
- 1) *To note the update provided by the Assistant Chief Officer.*
  - 2) *That following discussion of this report at the Value and Productivity Group meeting, the Group's comments should be reported within the public domain of the next Strategy, Direction and Progress Committee.*

11. **Olympics** A report by the T/Chief Constable had been circulated who reported as follows:

- A Resilience and Planning Group had been established which met monthly to consider and oversee the relevant resourcing issues for 2012.
- Annual Leave was not permitted to be carried over from the previous financial year.
- Only those staff who were being deployed had had their rest days cancelled. It was noted that this was a new model that would be adopted going forward.
- All mutual aid provided by Wiltshire Police to the Olympics and Para-Olympics was fully recoverable from the London Organising Committee of the Olympic and Para-Olympic Games.
- A number of Special Constables (48) had been assigned duties at Solstice / Avebury this year.

Mrs Stafford stated that the report circulated informed on work that was currently taking place or planned, but did not include on how the Force would deal with any unexpected elements, such as the 2011 riots. In light of the T/ACC's departure to Dorset, Mrs Stafford also asked for the T/DCC to be appointed as strategic lead. The T/DCC had overseen this work previously and she felt there was benefit in this being the responsibility of someone who already had prior knowledge of what was involved.

Resolved: 1) *To note the contents of the report.*  
2) *To ask the Force to note Mrs Stafford's request for the strategic lead for this work element to be the T/DCC following the T/ACCs departure to Dorset.*

12. **Operation Pinnacle** A report by the Chief Constable had been circulated. The T/Chief Constable provided a verbal summary of the operation to Members, the key points of which to note were:

- Although attendance of Crime Scene Investigators (CSI) at volume crime offences increased to 300% the forensic captures obtained could still have been obtained through the daily CSI process used prior to Pinnacle.
- Operation Pinnacle did not impact upon detection rates.
- Victim satisfaction had increased.
- The senior team have been asked to look the principles of Pinnacle and how these could be developed further in order to maintain public satisfaction but also address the negative aspects of the operation.
- A focus would still be maintained on non-dwelling burglary and vehicle crime but there should be a shift from reactive to a proactive response in the targetting of offenders.

Resolved: *To note the update provided by the T/Chief Constable and to ask him to produce a short summary for Members on the conclusions of Pinnacle and how this would now be taken forward.*

13. **Tri-Service Specialist Ops Unit** The T/Chief Constable stated that the draft business case had been received for comment. There were some issues to be discussed with the other Forces involved but as soon as all comments had been collated, the business case would be submitted to the Authority for consideration. It was anticipated this should be within the next few weeks.

Resolved: To note the verbal update provided by the T/Chief Constable.

#### 14. Committee Reports

##### Meeting

Audit and Risk

##### Date

26<sup>th</sup> March 2012

As Chairman of the Audit and Risk Committee, Mr Fishlock brought to Members' attention that the Committee had recently received two internal audit reports with limited assurance. These were Security of Seized Proceeds of Crime Arrangements and Asset Management Arrangements. As the Audit and Risk Committee only meets quarterly, the Committee had asked the Budget Action Group (which meets monthly) to oversee the Force action plans on these two audits.

Resolved: To note the update provided by the Audit and Risk Chairman.

#### 15. Group Reports

*Community Engagement Working Group:* Mr Humphries stated that as there was no pressing business for discussion the meeting scheduled for 18<sup>th</sup> April had been cancelled. The Chief Executive informed Members that there was an internal Force Group (Customer Relations and Public Engagement Group (CRPEG)) and it was intended that the Authority would feed issues into this which Mr Humphries would then report back on at the following Authority meeting. A meeting of the CRPEG had been held on 12<sup>th</sup> April 2012 and notes had been made available which would be circulated to all Members for information.

Resolved: 1) To note the update provided by Mr Humphries.

2) That the notes of the Force Customer Relations and Public Engagement Group would be circulated to all Members.

#### 16. Conferences and Meetings Attended by Members since the Previous Meeting, and Future Conferences / Seminars

None have been attended.

#### 17. Dates of Police Authority Meetings in 2012

**2012**

14<sup>th</sup> June

20<sup>th</sup> September

1<sup>st</sup> November

#### 18. Urgent Items

##### i. South West Police Procurement Department (SWPPD)

A report by the Chief Executive had been circulated. Mr Johns took the opportunity to update Members on the most recent meeting of the Project Board held on 13<sup>th</sup> April 2012.

Resolved: 1) To authorise Mr Johns to represent WPA on the Project Board and to make decisions on behalf of WPA in respect of the shared procurement service.

2) To authorise Ms Hillyer to exercise the delegated authority set out in the report in Mr Johns' absence.

**19. Exclusion of the Public**

Resolved: *In accordance with Section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Items 20-25 below because it is likely that if a member of the public were present there would be disclosure to them of exempt information as defined in Paragraphs 3, 4 and 7 of Schedule 12A to the Act.*

- 20. Salisbury Police Station** A joint report by the Chief Executive and the Chief Constable had been circulated. Mr Caswill raised concerns about discussing this matter in Part II and felt that the discussions should have been held within the public domain. In a response to queries from Members, the Chief Executive stated that there had been no public meetings with the local council or local residents.

Members debated the matter before Mr Caswill proposed that the preferred option to the Authority, subject to legal opinion, would be to close the area of land highlighted in red in the attachment to the report two days a year and that this proposal should be taken to the public for consultation. This was seconded by Mr Humphries and unanimously agreed.

Mr Caswill requested that should the matter require further discussion at an Authority meeting that this be considered within the public domain.

Resolved:

- 1) *That the preferred option to the Authority, subject to legal opinion, would be to close the area of land highlighted in red in the attachment to the report two days a year and that this proposal should be taken to the public for consultation.*
- 2) *To note Mr Caswill's request that should the matter require further discussion at an Authority meeting, the matter would be considered within the public domain.*

- 21. Swindon Community Safety Partnership** A report by the Chief Constable had been circulated. Mr Ford stated that he had met with the Swindon Community Safety Partnership Manager and his concerns had been addressed. The T/Chief Constable reported that Wiltshire Council were now being spoken to about a similar arrangement for County.

Resolved: *To authorise the establishment of a joint community safety service with Swindon Borough Council with the Borough Council as the lead authority subject to completion of a collaboration agreement on terms to be agreed by the Chief Executive, Treasurer, and the T/Chief Constable.*

- 22. Forensic Analysis** A report by the Chief Executive had been circulated.

Resolved: *To note the content of the report and agree that the Authority wishes to remain as part of the collaboration for the provision of forensic analytical services.*

- 23. Olympics** A report by the T/Chief Constable had been circulated.

Resolved: *To note the content of the confidential report and the update provided by the T/Chief Constable.*

24. **Helicopter** A report by the Chief Executive had been circulated.

- Resolved:
- 1) *To authorise the Chief Executive and T/Chief Constable to respond to the consultation on the draft collaboration agreement before the closing date of 27<sup>th</sup> April 2012.*
  - 2) *To authorise the Chief Executive, Treasurer, and the T/Chief Constable to enter into negotiations with the National Police Air Service, Wiltshire Air Ambulance Trust, Police Aviation Services Limited, and GWAS on the novation of the Wiltshire contracts to the National Police Aviation Service and the Trust so as to secure the police air ambulance cover to Wiltshire on the best terms available.*

25. **Committee Reports**

Meeting

Audit and Risk

Date

26<sup>th</sup> March 2012

Resolved: *To note the minutes of the meeting above.*

(Duration of Meeting: 10.30am to 12.45pm)

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**MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY  
held at the WILTSHIRE FRS TRAINING & DEVELOPMENT CENTRE,  
HOPTON INDUSTRIAL ESTATE, DEVIZES  
on WEDNESDAY 30 MAY 2012**

**Present :** Cllr P Davis, Cllr C Devine, Cllr Mrs M Groom, Cllr Brigadier R Hall,  
Cllr N Martin, Cllr J Osborn, Cllr G Payne, Cllr G Perkins, Cllr Mrs B  
Wayman

**17 Membership**

The Clerk reported that the constituent authorities had appointed the following to be members of the Authority for the ensuing year :

Swindon Borough Council :

Cllr N Martin, Cllr B Mattock, Cllr G Perkins, Cllr R Wright

Wiltshire Council :

Cllr P Davis, Cllr C Devine, Cllr Mrs M Groom, Cllr Brigadier R Hall,  
Cllr H Marshall, Cllr C Newbury, Cllr J Osborn, Cllr G Payne, Cllr Mrs B Wayman

**18 Apologies**

Apologies for absence were received from Cllrs Mattock, Marshall, Newbury and Wright

**19 Election of Chairman**

This item was conducted by the Clerk, Cllr Brigadier R Hall having relinquished the chair prior to the meeting. Members agreed to suspend Standing Order 5.2 for this item of business to avoid the need for a secret ballot for the election of Chairman.

Cllr Brigadier R Hall was elected Chairman for the ensuing year and took the chair for the remainder of the meeting.

**20 Election of Vice Chairman**

Members agreed to suspend Standing Order 5.2 for this item of business to avoid the need for a secret ballot for the election of Vice Chairman.

Cllr N Martin was elected Vice Chairman for the ensuing year.

**21 Minutes of Last Meeting**

The minutes of the meetings held on 14 February 2012 were confirmed and signed.

**22 Chairman's Announcements**

The Chairman welcomed the re-appointed members of the Authority and in particular the new Member of the Fire Authority appointed by Swindon Borough Council, Cllr B Mattock (Cllr Mattock having sent his apologies).

The Chairman also went on to pay tribute to the considerable contribution made by the retiring Swindon Member, David Wren. A letter would be sent on behalf of the Authority expressing the thanks of Members for his exemplary service. The Chairman also reported on the good progress made by Cllr Marshall in recovering from his operation.



The Chairman went on to give details of:

- The Authority's congratulations to the "Safe Drive, Stay Alive" team on winning the Health Improvement Partnership Award from the Wiltshire Assembly.
- The re-scheduling of Members' Stations visits to an appropriate time during the implementation phase of the Transformation Programme.
- The attendance of Authority Members and Service personnel at the Service in Salisbury Cathedral on Friday 1<sup>st</sup> June to mark the Queen's Diamond Jubilee.
- The attendance of Cllrs Wren and Newbury and the Chief Fire Officer at the LGA Conference in Bournemouth in March.
- The briefing/training session for members on the subject of Transformation and Risk to be held after the CFA meeting.

## **23 Questions from the Public**

The Chairman responded to a written question from a member of the public on the decision taken by the Fire Authority in respect of the Council Tax. With the permission of the Chairman:

- A representative of the Fire Brigades Union made a statement on behalf of the Union regarding the Transformation Programme.
- A representative of the Retained Fire-fighters Union presented a letter regarding the Transformation Programme.

## **24 (1) Programme & Scrutiny Board Update Report**

A report of the meeting of the Board held on 8<sup>th</sup> May 2012 was received.

### **(2) Terms of Reference**

On considering a paper by the Chief Fire Officer and Clerk to the Authority,

#### Resolved:

*To approve revised terms of reference for the Programme & Scrutiny Board and the four workstreams.*

## **25 Finance Review & Audit Committee**

The minutes of the meeting of the Finance Review & Audit Committee held on 20 March 2012 were received.

## **26 Fire Control Resilience**

On considering a paper by the Deputy Chief Fire Officer and Director of ICT,

#### Resolved:

- To note the report.*
- To endorse and support the partnership approach as outlined in the report.*
- To enter into a Partnership Agreement with Devon & Somerset, Dorset and Hampshire FRAs on terms to be agreed by the Chief Fire Officer & Chief Executive and Clerk to the Authority.*
- To approve the capital project for the provision of fire control services being added to the capital programme for which government funding of £1.8m has already been received.*

## **27 Protection, Prevention and Intervention**

A short visual presentation was made.

## **28 Staffing Committee**

The minutes of the meeting of the Staffing Committee held on 30 March 2012 were received.

## **29 Membership of Committees and Representations on Other Bodies, etc.**

On considering a paper by the Clerk,



Resolved :

*To approve the nomination of members to the positions, and the appointment of members to the committees and other bodies, as set out in the table appended to these minutes for the ensuing year, i.e. until the annual meeting of the Authority in 2013.*

**30      Dates of Meetings 2012**

Members agreed that Thursday 21<sup>st</sup> June 2012 should be fixed as a date for a special meeting of the Authority to consider proposals for implementation of the provisions of the Localism Act regarding standards of members' conduct. Members also agreed that the meeting of the Authority in September 2012 should be moved from the 20<sup>th</sup> to the 27<sup>th</sup> September.

**31      South West Fire Control Limited**

Members noted that this Company, of which the Authority was a member, was likely to be dissolved in late July or August 2012.

(Duration of meeting 10.30 a.m. to 11.40 a.m. )

**WILTSHIRE AND SWINDON FIRE AUTHORITY**  
**MEMBERSHIP OF COMMITTEES AND REPRESENTATIVES ON OUTSIDE BODIES**  
**2 012 / 13**

Committee/body	No of places	Allocation of places where rules on political proportionality apply	Member(s) or representatives	Deputies where permitted
Finance Review & Audit Committee	5	Conservatives – 3 Liberal Democrat – 1 Other -1	Councillor G Perkins Councillor C Devine Councillor G Payne Councillor J Osborn Councillor R Wright	n/a
Urgency Committee	5	Conservatives – 3 Liberal Democrat – 1 Other -1	Councillor Brigadier R Hall Councillor N Martin Councillor P Davis Councillor H R Marshall Councillor C Newbury	n/a
Standards Committee (Chairman : Mr D Barker)	3 + 3 lay	n/a	Councillor Mrs B Wayman Councillor H R Marshall Councillor C Newbury  Mr D Barker ) Mr R McMillan )lay members Mr D Inight )	n/a
Staffing Committee	3	n/a	Councillor P Davis Councillor J Osborn Councillor N Martin	n/a
Programme & Scrutiny Board	3	n/a	Councillor Brigadier R Hall Councillor N Martin Councillor J Osborn	n/a

LGA General Assembly	4	n/a	Councillor Brigadier R Hall Councillor N Martin Councillor H R Marshall Councillor C Newbury	None
LGA Fire Forum	1	n/a	Councillor Brigadier R Hall	Councillor N Martin
Rural Commission	1	n/a	Councillor Mrs B Wayman Councillor Mrs M Groom	None
South West Councils	1	n/a	Councillor Brigadier R Hall	Councillor N Martin
South West Provincial Council	1	n/a	Councillor N Martin	
Wiltshire Assembly	1	n/a	Councillor H R Marshall	Councillor G Payne
Wiltshire Public Service Board	1	n/a	Councillor Brigadier R Hall	Councillor N Martin

**Pool of members  
for Appeal Committee**

Workstream  
HR, Training & Development  
Operational Delivery  
Finance & ICT  
Performance, Risk Management  
& Partnerships

Lead  
Cllr P Davis  
Cllr H R Marshall  
Cllr C Devine  
Cllr R Wright

Deputy Lead(s)  
Cllr Mrs B Wayman  
Cllr B Mattock  
Cllr G Payne  
Cllr J Osborn

Cllr G Perkins  
Cllr P Davis  
Cllr H R Marshall  
Cllr C Newbury  
Cllr G Payne  
Cllr R Wright

Member Champions  
Equality & Diversity  
Climate Change/Carbon  
Data

Cllr P Davis  
Cllr Mrs M Groom  
Cllr J Osborn

30.5.2012

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**MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY  
held at the WILTSHIRE FRS TRAINING & DEVELOPMENT CENTRE,  
HOPTON INDUSTRIAL ESTATE, DEVIZES  
on THURSDAY 21 JUNE 2012**

**Present :** Cllr Brig. R Hall (Chairman), Cllr C Devine, Cllr Mrs M Groom,  
Cllr H Marshall, Cllr N Martin, Cllr B Mattock Cllr C Newbury, Cllr J Osborn,  
Cllr G Payne, Cllr G Perkins, Cllr Mrs B Wayman, Cllr B Wright

**32 Minutes of previous meeting (30 May 2012)**

The minutes of the meetings held on 30 May 2012 were confirmed and signed.

**33 Apologies**

Apologies for absence were received from Cllr Davis

**34 Chairman's Announcements**

The Chairman welcomed Cllr Mattock to his first meeting of the Authority.

**35 Localism Act 2011 – Standards of Members' Conduct**

On considering:

- i. a paper by the Clerk to the Authority and the Monitoring Officer, and the recommendations therein,
- ii. the officers' advice contained within (i) on the content and robustness of a Code of Conduct,
- iii. the views of the Standards Committee referred to in (i),
- iv. the recommendations of a Members' Panel with regard to the appointment of two Independent Persons, and
- v. representations made by the Chairman of the Standards Committee on a personal basis;

on noting the approaches to a new Code of Conduct taken by the two constituent authorities (namely a "light touch" draft Code on which Wiltshire Council was consulting, and the adoption of a Code akin to the current Code by Swindon Borough Council);

and after discussion,

**Resolved:**

- a) *To note the report of the Clerk to the Authority and the Monitoring Officer and the views of the Standards Committee conveyed therein.*
- b) *To note the statutory duty of the Authority under Section 27 of the Localism Act 2011 to "promote and maintain high standards of conduct" by members and co-opted members of the Authority and under Section 28 to adopt a Code of Conduct which is consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.*

- c) *Notwithstanding the advice of the Clerk to the Authority and the Monitoring Officer, not to include in the Authority's new Code of Conduct the additional clauses set out in Appendix C of the paper presented, with the exception of clause 3 amended.*
- d) *To approve and adopt with effect from 1 July 2012 the Code of Conduct set out in the appendix to these minutes.*
- e) *To approve such consequential changes as may be required being made to Standing Orders following the adoption of the new Code of Conduct with effect from 1 July 2012.*
- f) *To note that the Clerk to the Authority will review the Authority's relevant protocols to ensure consistency with the new Code of Conduct and will bring forward recommendations at the appropriate time.*
- g) *To note the statutory provisions regarding the disclosure and registration of disclosable pecuniary interests which come into force on 1 July 2012.*
- h) *To note that the Localism Act enables the Authority to include in its Code provision for the disclosure and registration of such other pecuniary and non-pecuniary interests as the Authority "considers appropriate"*
- i) *To ask the Ethics Committee to consider what other pecuniary and non-pecuniary interests it might be appropriate for the Authority to require to be disclosed and registered, with a view to presenting a report to a future meeting of the Authority.*
- j) *To establish an Ethics Committee of five members of the Authority and, in accordance with the rules on political proportionality, to appoint Cllrs Mrs M Groom, N Martin, B Mattock, H Marshall and C Newbury to be members of the Committee to serve until the annual meeting of the Authority in May 2013.*
- k) *To delegate to the Ethics Committee (i) the power to exercise the duties and functions of the Authority under the Localism Act 2011 and subsequent legislation relating to the standards of members' conduct, except those duties and functions which cannot lawfully be delegated, and (ii) the powers contained in paragraphs 3 and 4 of the delegations to the current Standards Committee, such delegation and powers to take effect on 1 July 2012.*
- l) *To abolish the current Standards Committee on the day immediately preceding the date on which the delegations to the Ethics Committee take effect.*
- m) *To appoint Mr R McMillan and Mr M Cronin as Independent Persons in accordance with the relevant provisions of the Localism Act 2011.*
- n) *To approve the arrangements for dealing with allegations or complaints of failure by a member to comply with the Authority's Code of Conduct, set out in the paper presented.*
- o) *To appoint the Monitoring Officer as the person responsible for receiving such allegations or complaints.*
- p) *To delegate to the Monitoring Officer the power, after consultation with an Independent Person, to determine whether a complaint merits formal investigation and to arrange such investigation, subject to the Monitoring Officer presenting regular reports to the Ethics Committee on his/her discharge of this function.*
- q) *To give discretion to the Monitoring Officer to refer a decision on whether a complaint merits investigation to the Ethics Committee where he/she feels that it is inappropriate for him/her to take the decision.*

- r) *To delegate to the Monitoring Officer, in circumstances where an investigation finds no failure to comply with the Code of Conduct, the power to close the matter, subject to (i) a copy of the report and findings of the investigation being provided to the complainant, the member concerned and the Independent Person, and (ii) the findings being reported to the Ethics Committee for information.*
- s) *To authorise the Monitoring Officer in consultation with the Independent Person, in circumstances where an investigation finds evidence of a failure to comply with the Code of Conduct, to seek local resolution to the satisfaction of the complainant in appropriate cases, subject to a summary report being presented for information to the Ethics Committee.*
- t) *To delegate to the Ethics Committee the power to hear and determine allegations of breaches of the Code of Conduct in circumstances where an investigation finds evidence of failure to comply with the Code and there has been no local resolution.*
- u) *To note the provisions of the Localism Act regarding sensitive interests.*
- v) *To adopt a Standing Order requiring that, unless a dispensation to remain has been obtained, a member must withdraw from the meeting room, including from the public gallery, during the whole of the consideration of any item of business in which he/she has an interest in respect of which the Code of Conduct requires him/her not to participate in any consideration or discussion of, or vote on, that item.*
- w) *To designate the Clerk to the Authority as the “proper officer” for the receipt of written requests for dispensations.*
- x) *To delegate to the proper officer the power to grant a dispensation to a member with a disclosable pecuniary interest who would otherwise be barred from participating in the consideration of an item of business at a meeting of the Authority, Committee or Sub-Committee, as the case may be, on the grounds that failure to grant a dispensation would impede the transaction of the business at the meeting.*
- y) *To delegate to the Ethics Committee the power to grant a dispensation to a member who would otherwise be barred from participating in the consideration of an item of business at a meeting of the Authority, Committee or Sub-Committee, as the case may be, on such other grounds as are permitted by legislation.*
- z) *To note that the Monitoring Officer’s functions and powers may at his/her discretion be delegated to and exercised by the Clerk to the Authority acting on his/her behalf.*

(Duration of meeting 10.30 a.m. to 11.50 a.m.)

### WILTSHIRE & SWINDON FIRE AUTHORITY

#### Localism Act 2011

#### **Members' code of conduct effective from 1 July 2012**

1. You are a member or co-opted member of the Wiltshire & Swindon Fire Authority and hence when acting in this capacity you shall have regard to the following principles: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
2. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements, by leadership and example.
3. Accordingly, when acting in your capacity as a member or co-opted member, you:
  - 3.1 must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
  - 3.2 must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
  - 3.3 when carrying out your public duties must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
  - 3.4 are accountable for your decisions to the public and must co-operate fully with whatever scrutiny is appropriate to your office.
  - 3.5 must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
  - 3.6 must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.



3.7 must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

4. You should have regard to the Authority's policies, protocols and procedures.

#### Registering and declaring pecuniary and non-pecuniary interests

5. You must, within 28 days of becoming a member or co-opted member of the Authority, notify the Authority's Monitoring Officer of any disclosable pecuniary interest as defined by Regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners.
6. In addition, you must, within 28 days of becoming a member or co-opted member, notify the Authority's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which the Authority has decided should be included in the register.
7. If an interest has not been entered onto the Authority's register, you must disclose the interest to any meeting of the Authority at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.
8. Following any disclosure of an interest not on the Authority's register or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.
9. Unless a dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a disclosable pecuniary interest as defined by Regulations made by the Secretary of State. Additionally, you must observe the restrictions the Authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by the Authority.

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