



SWINDON BOROUGH COUNCIL

Municipal Year 2012/13

Meeting of Council on Thursday, 17 January 2013

ITEM - MINUTES OF OTHER COUNCIL BODIES

SECTION 1 - SPECIAL, AUDIT AND STANDARDS COMMITTEES

1. Minutes of meeting Monday, 10th December, 2012 of Special Committee (Pages 3 - 6)
2. Minutes of meeting Thursday, 20th December, 2012 of Special Committee (Pages 7 - 8)
3. Minutes of meeting Friday, 19th October, 2012 of Standards Committee (Pages 9 - 10)
4. Minutes of meeting Tuesday, 20th November, 2012 of Audit Committee (Pages 11 - 14)

SECTION 2 - OVERVIEW AND SCRUTINY COMMITTEES

5. Minutes of meeting Monday, 22nd October, 2012 of Scrutiny Committee (Pages 17 - 22)
8. Minutes of meeting Monday, 5th November, 2012 of Scrutiny Committee (Pages 23 - 28)
7. Minutes of meeting Monday, 26th November, 2012 of Scrutiny Committee (Pages 29 - 32)

8. Minutes of meeting Monday, 17th December, 2012 of Scrutiny Committee (Pages 33 - 40)
9. Minutes of meeting Wednesday, 14th November, 2012 of Health Overview and Scrutiny Committee (Pages 41 - 44)
10. Minutes of meeting Wednesday, 21st November, 2012 of Children and Young People's Overview and Scrutiny Committee (Pages 45 - 48)
11. Minutes of meeting Tuesday, 23rd October, 2012 of Economic, Environmental and Sustainability Overview and Scrutiny Committee (Pages 49 - 52)
12. Minutes of meeting Thursday, 13th December, 2012 of Economic, Environmental and Sustainability Overview and Scrutiny Committee (Pages 53 - 56)
13. Minutes of meeting Thursday, 13th September, 2012 of Safer and Stronger Communities Overview and Scrutiny Committee (Pages 57 - 58)

SECTION 3 - REGULATORY COMMITTEES

14. Minutes of meeting Thursday, 6th December, 2012 of Licensing Committee (Pages 61 - 62)
15. Minutes of meeting Thursday, 25th October, 2012 of Licensing Panel (Pages 63 - 64)
16. Minutes of meeting Tuesday, 27th November, 2012 of Licensing Panel (Pages 65 - 66)
17. Minutes of meeting Monday, 3rd December, 2012 of Licensing Panel (Pages 67 - 70)
18. Minutes of meeting Wednesday, 5th December, 2012 of Licensing Panel (Pages 71 - 72)
19. Minutes of meeting Wednesday, 5th December, 2012 of Licensing Panel (Pages 73 - 74)
20. Minutes of meeting Monday, 10th December, 2012 of Licensing Panel (Pages 75 - 76)
21. Minutes of meeting Tuesday, 9th October, 2012 of Planning Committee (Pages 77 - 78)
22. Minutes of meeting Tuesday, 13th November, 2012 of Planning Committee (Pages 79 - 80)
23. Minutes of meeting Tuesday, 11th December, 2012 of Planning Committee (Pages 81 - 82)
24. Minutes of meeting Monday, 3rd December, 2012 of Education Transport Appeals Sub-Committee (Pages 83 - 84)

SECTION 4 - CHILDREN SERVICES BODIES

25. Minutes of meeting Tuesday, 4th December, 2012 of Standing Advisory Council on Religious Education (Pages 87 - 92)

SECTION 5 - POLICE AND FIRE AUTHORITIES

26. Minutes of the meeting of the Wiltshire & Swindon Fire Authority (Pages 95 - 98)
27. Minutes of the Wiltshire Police and Crime Panel (Pages 99 - 104)

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Section 1

Special, Audit and Standards Committee Minutes

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SPECIAL COMMITTEE

MONDAY, 10 DECEMBER 2012

PRESENT:- Councillors Roderick Bluh (Chair), David Renard (Vice-Chair), Fionuala Foley, Jim Grant, Garry Perkins, Brian Mattock, Des Moffatt, Stan Pajak and Bob (Robert) Wright (Deputy).

An apology for absence was received from Councillor Mark Dempsey.

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. Minutes

Resolved – That the minutes of the meeting held on 18th March 2012 be confirmed and signed as a correct record.

3. 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. 8 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 7 refers.)

4. Public Question Time

No public questions were asked under Standing Order 28.

5. Adjustment to the 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 1 and 2 Management Structure following recent restructuring consultation processes.

The Head of People and Change commented on the proposed changes to the Council's management structure and explained the reasons why these were necessary to enable the on-going delivery of Stronger Together and the Council's aims under One Swindon, as well as providing necessary savings from management posts.

Councillor Jim Grant asked for clarification regarding the financial contribution to be made from the proposed restructuring to meeting the previously agreed £1.2m of savings in Council management costs by April 2013.

Committee Members noted that a number of the posts affected by the proposed structural changes had only been created and appointed in March 2012,

and expressed a wish for further clarity to be provided on the rationale behind the proposed changes and the re-alignment of functions and responsibilities.

The Chair noted the comments expressed at the meeting and agreed to request the Chief Executive to arrange an urgent meeting with the political group leaders to address the issues highlighted by Members and to provide further clarity on the reasons for the changes being required at this time.

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

- (a) Approves the changes to the Council's Stronger Together Tier 1 and 2 Management Structure, as referred to in the joint report, and agrees that this revised structure, as set out in Appendix 2 to the joint report, be implemented by 1st April 2013 or on such date as may be determined by the Chief Executive.
- (b) Authorises the Director of Law and Democratic Services to amend the Council's Constitution accordingly.

6. Appointments to Committees and Other Bodies

The Director of Law and Democratic Services submitted a report concerning proposed changes and appointments to Committees and other Council bodies for the remainder of the Municipal Year 2012/13, that were required following the death of Councillor Doreen Dart and the election of Councillor Steve Weisinger in the subsequent by-election.

Resolved – (1) That the Special Committee, on behalf of the Council approves the following appointments –

Committee	Councillor(s) Appointed	Councillor(s) Replaced
Appeals Committee	Steve Weisinger	
Children and Young Peoples Overview and Scrutiny Committee	Steve Weisinger	
Children's Trust Board	Claire Ellis	
Corporate Parenting Advisory Board	Claire Ellis	
Footpaths and Rights of Way Committee	John Haines	
Joint Safety Committee	Steve Weisinger	
Joint Strategic Planning Working Party	Alan Bishop	
Licensing Committee	John Haines	
Local Development Plans Working Party	Alan Bishop	
Planning Committee	Vera Tomlinson Alan Bishop	Toby Elliott
School Admissions Forum	Alan Bishop	
SACRE	Alan Bishop	
Standards Committee (Deputy)	Brian Ford	

Other Council Outside Bodies		
Cricklade Country Way Partnership	Alan Bishop	
Cotswold Water Park Joint Committee	Alan Bishop	
Equalities Advisory Forum	Alan Bishop	
Local Government Association Rural Commission (Deputy)	Alan Bishop	
Swindon Dance Board	Mary Friend Cindy Matthews	
Swindon/Ocotal Link	Richard Hurley	
Town Twinning Network	Richard Hurley	
Chair and Vice Chair Appointments		
Chair – Footpaths and Rights of Way Committee	Andrew Bennett	
Vice-Chair Planning Committee	Brian Ford	

(2) That the Director of Law and Democratic Services be requested to ask the Swindon/ Ocotal Link Group to consider an increase in the Council representation on that Group by the appointment of a further Councillor, and that if this is supported by that Group Councillor Cindy Matthews be appointed to serve on that outside body.

7. Redundancy Severance

The Leader of the Council and the Chief Executive submitted a joint report concerning the redundancy severance arrangements for Employee No. 1440826A.

The Chair advised that, in view of the requirement for further clarification on the issues of the nationally agreed terms and conditions applying to senior officer contracts, the placing of post and project responsibilities from 1st April 2013, and the financial implications associated with the proposed redundancy severance arrangements in this case, consideration of this item should be deferred and the officers requested to submit a revised report to a meeting of the Committee to be held on 20th December 2012.

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SPECIAL COMMITTEE

THURSDAY, 20 DECEMBER 2012

PRESENT:- Councillors Roderick Bluh (Chair), David Renard (Vice-Chair), Mark Dempsey, Fionuala Foley, Jim Grant, Garry Perkins, Brian Mattock and Des Moffatt.

An apology for absence was received from Councillor Stan Pajak.

8. Declarations of Interest

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

9. Minutes

Resolved – (1) That the minutes of the meeting held on 10th December 2012 be confirmed and signed as a correct record.

(2) That, further to the decision in Minute 6, Councillor Toby Elliott replace Councillor Alan Bishop as a member of the Council's Planning Committee for the remainder of the Municipal Year 2012/13.

10. Public Question Time

No public questions were asked under Standing Order 28.

11. 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. 6 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 12 refers.)

12. Redundancy Severance

The Leader of the Council and the Chief Executive submitted a joint report concerning the redundancy severance arrangements for Employee No. 1440826A.

The Head of People and Change submitted a supplementary report, circulated at the meeting, concerning the discretionary element of redundancy severance payments for Chief Officers.

The Chair highlighted the contents of the reports and the reasons why he believed the proposals put forward were in the best interests of the Council.

Councillor Jim Grant referred to recent statements in the press and by the Secretary of State for Communities and Local Government regarding the levels of payments made to public officials leaving employment. These had aroused

considerable public interest. He believed that, following determination of this particular case, it would be an appropriate time to consider undertaking a review of the terms and conditions for new Chief Officer appointments and of the Council's severance payment obligations.

The Chief Executive commented on the need to regularly review policies and processes given the rapid changes in local government and the current financial realities facing all local authorities. He emphasised the importance of the Council recruiting and retaining high quality officers in order to lead it through the changes and significant financial challenges that it faced both now and for the foreseeable future.

Resolved – (1) That the redundancy severance arrangements for Employee No. 1440826A, as set out in the joint report, be approved.

(2) That the Director of Law and Democratic Services be authorised to conclude a compromise agreement between the Council and Employee No. 1440826A based on a final day of service no later than 31st March 2013.

(3) That the Head of People and Change be authorised to (a) review (i) existing Chief Officer terms and conditions and to develop proposals as to whether or how they should be amended in relation to new Chief Officer appointments; and (ii) the severance payment obligations for existing Chief Officers and to discuss this further with political group leaders; and (b) to submit a report on the outcome of the reviews to a future meeting of this Committee.

STANDARDS COMMITTEE HEARINGS PANEL

FRIDAY, 19 OCTOBER 2012

PRESENT:- Councillor Fay Howard (Chair), Councillor Mary Friend and Councillor Richard Hurley.

Non-Voting Assessors: Mr David Dawson (Lay Member) and Mr Mike Compton (Parish Representative).

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. Exempt Items - Exclusion of Press and Public

The Chair invited the parties to put forward any reasons why they would wish the press and public to be excluded from all or any or part of the Hearing. No applications for the hearing to be held in private, or papers to be withheld, were made and therefore all the papers held to be exempt until this point were made available at the start of the Hearing.

However, it was agreed that the press and public should be excluded from the deliberations of the Panel at the end of each stage of the procedure.

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public would be excluded from the deliberations of the Panel at the end of each stage of the procedure as these deliberations would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information concerned.

3. Hearing of Complaint under the Protocol of Member / Officer Relations

The Standards Hearings Panel met to conduct a hearing of a complaint in respect of an allegation that Councillor Nick Martin had breached Swindon Borough Council's Protocol of Member / Officer Relations by his conduct at the Civic Dinner on 20th June 2011 at the Steam Museum.

The complaint was from Mrs Helen Miah, an officer of the Council, and was that Councillor Martin had sexually harassed and bullied her during a break between the dinner and the speeches at the Civic Dinner.

The matter had originally been considered by the Assessment Sub-Committee on 22nd June 2011 as a complaint under the Members Code of Conduct. The Assessment Sub-Committee had concluded that Councillor Martin was not performing his function as a Councillor at the time of the alleged incident and therefore the complaint could not be taken forward under the Members Code of Conduct. However, the Sub-Committee asked that the Monitoring Officer, in consultation with the Chair of the Standards Committee and the Head of Human

Resources, consider whether the matter should be investigated under the Protocol of Member / Officer Relations, and it was agreed that it should be investigated.

The Monitoring Officer had appointed Mr Felix Hetherington as the Investigating Officer and he attended the meeting of the Standards Committee Hearings Panel to present his report. Councillor Nick Martin was present at the meeting and he was represented by Mr Charles Parry of Counsel. Mrs Helen Miah attended the meeting as the complainant and a witness. Ms Janice Banks and Mr Bernie Brannan attended as witnesses, as requested by the Investigator. Mr Mallinson attended the hearing as a witness, at the invitation of Councillor Martin. In addition, the Panel took account of eight letters received in support of Councillor Martin

At the start of the Hearing the Panel considered a representation from Mr Parry as to the validity of the proceedings. The Monitoring Officer gave his advice on the matter, having sought the opinion of Queen's Counsel. Having received that advice, the Panel determined that it should proceed to hear the complaint on this basis, in accordance with its agreed procedure: 'Swindon Borough Council Procedure for Determination of Complaints under the Protocol of Member / Officer Relations'.

The Panel first heard evidence on each side and heard witness statements. The Panel then withdrew and considered Findings of Fact and returned and announced the Findings and invited representations from Mr Parry and Mr Hetherington as to whether these constituted a breach of the Protocol. The Panel withdrew to discuss, and returned to advise their determination that it was a breach of the Protocol, and invited representations on suitable sanctions. The Panel withdrew a final time to determine sanctions. The Panel was of the view that neither a censure nor a referral to Council was appropriate, and returned to announce the sanctions that were agreed by the Panel.

Resolved – (1) That, having considered the evidence presented by all Parties to the case, the Panel confirmed Findings of Fact were as set out in the Full Decision of the Standards Committee Hearings Panel.

(2) That, having considered the evidence presented by all Parties to the case the Panel determined that by his conduct Councillor Martin had breached paragraphs 4.2 (use of inappropriate language) and 4.3 (close personal familiarity) of the Protocol of Member / Officer Relations.

(3) That, having determined that a breach of the Protocol of Member / Officer Relations had taken place, the Panel determined that the following sanctions be applied:

- Councillor Martin be required to provide Mrs Miah with a written apology, in a form acceptable to the Monitoring Officer in consultation with the Chair of the Hearings Panel.
- Councillor Martin be requested to undertake relevant training from the Monitoring Officer on the operation of the Protocol of Member / Officer Relations.

AUDIT COMMITTEE

TUESDAY, 20 NOVEMBER 2012

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

An apology for absence was received from Councillor Nick Martin.

22. Declarations of Interest

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

23. Public Question Time

No questions were asked under Standing Order 28.

24. Minutes

Resolved - That the minutes of the meeting held on 18th September 2012 be confirmed and signed.

The Chair advised the meeting that, due to another commitment he would be unable to attend the meeting scheduled for 5th February 2013. He proposed, and the Committee agreed, that this meeting be put back by one week, to convene on 12th February 2013.

25. Chair's Announcements

The Chair advised the meeting that, due to another commitment, he would be unable to attend the meeting scheduled for 5th February 2013. He proposed, and the Committee agreed, that this meeting be put back by one week, to be convened on 12th February 2013.

**26. Internal Audit reports identifying 'significant' risk or 'of concern':
Health and Safety / Corporate Manslaughter**

The Committee received a report on the latest position regarding the implementation of Internal Audit recommendations arising from the audit review of the Council's Corporate Manslaughter responsibilities and the follow-up audit review which was completed in October 2012. It was noted that previous internal audits on the Council's Health and Safety governance arrangements had identified fundamental weaknesses, categorising these as being of potential significant risk to the Council, and that the risk had also been identified in the Council's Annual Governance Statement for the past three financial years.

The Head of Internal Audit introduced the report, advising that, whilst progress in implementing agreed audit recommendations had been found to be minimal under the management structure prior to Stronger Together, under the new structure responsibility for the implementation of the audit recommendations had fallen to the Head of Business Services and Support and the Operational Risk Manager (Health

and Safety) within Service Delivery who had made significant progress in implementing the high priority audit recommendations. It was noted that, although the audit was still “of concern”, this was solely because procedures remained to be fully embedded. The Head of Internal Audit was very pleased at the level of progress to date and commended the efforts and achievements of the responsible officers.

The Council’s Head of Business Services and Support and the Operational Risk Manager (Health and Safety) within Service Delivery were 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. The following issues were raised by members:

- the timescale for the further internal audit review to determine the effectiveness of the new processes
- the composition of the Practitioner Forum
- the officer ownership of the identified risk associated with community buildings managed by community trusts or groups
- the recording of “near misses, the culture for risk evaluation and the awareness and appropriate mitigation of risk and the timetable for the embedding of processes

Resolved – (1) That the report be noted.

(2) That this Committee commends the Head of Business Services and Support and the Operational Risk Manager (Health and Safety) within Service Delivery for their efforts and achievements in attaining the level of progress reported to the meeting.

(3) That a further progress report on the implementation of the audit recommendations, particularly in relation to the embedding and effectiveness of new processes, be submitted to the Committee later in the year.

27. Corporate Risk Management Update

The Committee received a summary report on Risk Management activity within Swindon Borough Council, including the latest Corporate Risk Register together with the draft revised Risk Management Strategy.

The Council’s Head of Performance and Risk was in attendance and responded to members’ questions and observation on the following issues:

- the reducing number of insurance claims against the Council in recent years and the projection for the current financial year
- the origins, composition and terms of reference of the Adult Safeguarding Board
- the continuing significant risk in relation to the safeguarding of vulnerable adults and children
- key roles and responsibilities and the relationship between Internal Audit and the Audit Committee
- the relationship between and the Corporate Risk Register and the more detailed departmental and partnership risk registers
- the emerging risks for staff interacting with persons detrimentally affected by

the Government's welfare and housing benefit reform programme

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 – (1) That the report be noted.

(2) That the "highest level" risk register for adult social care be made available to members for consideration.

28. Internal Audit review: Strategic Fraud Update

The Committee received a report of the Head of Internal Audit providing a strategic fraud update, detailing current developments, initiatives and issues pertaining to fraud and fraud prevention and detection. The report referred to the National Fraud Authority's (NFA) estimated fraud against the public sector of some £20.3 billion, with fraud against local government costing more than £2.2 billion each year, and detailed the Internal Audit response in tackling fraud risks identified in the NFA's national strategy for tackling fraud against local government and also in response to findings of the Audit Commission's National Fraud Initiative regarding high level fraud areas and emerging fraud risks.

Resolved – That the report be noted.

29. Internal Audit: Benchmarking

The Committee received a report of the Head of Internal Audit providing a summary of the 2012 benchmarking exercise carried out by CIPFA with regard to the Council's Internal Audit service.

Resolved – That the report be noted.

30. 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 September 2012 and progress made against the Annual Internal Audit Plan.

Resolved – (1) That the report be noted.

(2) That the Chair liaise with the Head of Internal Audit to determine which finalised audit reports, categorised "of concern", should be submitted to the next meeting of the Committee for consideration.

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Section 2

Overview and Scrutiny Committee Minutes

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SCRUTINY COMMITTEE

MONDAY, 22 OCTOBER 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, James Robbins, Robert Wright and John Haines.

Councillors Roderick Bluh, Dale Heenan, Russell Holland, Brian Mattock, Garry Perkins, David Renard, Vera Tomlinson and Keith Williams were also in attendance.

Apologies for absence were received from Councillors Maureen Penny and Councillors Mark Edwards, Cabinet Member for Finance, and Fionuala Foley, Cabinet Member for Streetsmart and Corporate Services.

27. Councillor Keith Williams

On behalf of the Committee, the Chair welcomed Councillor Keith Williams to the meeting, following his recent injury, and wished him a speedy and full recovery.

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.

29. Public Question Time

Mr Brian Cockbill put questions regarding:

1. the details of petitions submitted as part of the Community Governance Review;
2. the position on the recovery of monies owed to the Council in respect of its initial Wi-Fi project;
3. damage to the Mechanics Institute;
4. the implications of the Standards Committee Hearing Panel decision of Friday 19 October 2012 and the likelihood of changes being made to the composition of the Council's Cabinet as a result of that decision, and the status of an application by a family member for housing grant;
5. comments that Mr Cockbill attributed to the Leader of the Council regarding the Council's investment in the Wi-Fi project.

Mr Cockbill's question nos. 1 and 4 were answered by the Chair at the meeting. The Chair asked that a written response be made regarding his question no. 3 and advised that his questions regarding the Wi-Fi project would be deferred to be answered at the next meeting of the Committee, when the Wi-Fi project update report was to be considered.

30.

Minutes

Resolved – That the minutes of the meeting held on 1st October 2012 be confirmed and signed as a correct record.

31.

Consideration of Cabinet Decisions

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 17 October 2012.

49. *Adoption of the Corporate Strategy 2012/13*

Resolved - That Minute 49 of the Cabinet be noted

50. *An Economic Strategy for Swindon*

Resolved - That Minute 50 of the Cabinet be noted

51. *Swindon Borough Local Plan - Pre-Submission Draft (Minute for Confirmation)*

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, and Councillor Garry Perkins, Cabinet Member for Regeneration and Culture, responded to members' questions and observations on the following matters:

- the inclusion of Martins Farm, Moredon Rec and Pickards Field within the proposed extended green strategic corridor
- the first phase of the town centre redevelopment
- the eastern development and the impact of an expanding growth area for the town on private businesses
- the impact of local plan proposals on land values
- delivery of the necessary infrastructure to support the delivery of housing
- the timing and extent of the proposed consultation period.

Resolved - That Minute 51 of the Cabinet be noted

52. *Financial Update 2012-13 and 2013-14*

The Board Director Finance, Revenues, Benefits and Property was asked to provide a written response to a query by Councillor Des Moffatt regarding an apparent virement of funding to support the Big Arts Day.

Resolved - That Minute 52 of the Cabinet be noted.

53. *Draft Local Bus Strategy 2012*

Resolved - That Minute 53 of the Cabinet be noted.

54. *Draft Statement of Community Involvement*

Resolved - That Minute 54 of the Cabinet be noted.

55. Review of Town Twinning

Councillor Brian Ford remarked on the considerable work and effort of the late Councillor Doreen Dart in support of the council's town twinning aspirations. The Chair acknowledged and welcomed Councillor Ford's comments and expressed his own appreciation of Councillor Dart's efforts and also his hope that the Cabinet and senior members would continue to build on Councillor Dart's work in this area.

Resolved - That Minute 55 of the Cabinet be noted

56. Overview and Scrutiny Work Programmes 2012/13

Resolved - That Minute 56 of the Cabinet be noted.

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.

32. Question and Answer - Cabinet Member for a Safer and Stronger Borough

Councillor Vera Tomlinson, Cabinet Member for a Safer and Stronger Borough, was in attendance and made a position statement to the meeting in which she summarised performance in respect of the various service areas within her portfolio of responsibility, focussing especially on community safety and environmental services. Councillor Tomlinson's presentation included her assessment of what she felt had been done well, what might have been done differently and what challenges her portfolio would face over the next year. On the conclusion of her presentation, Councillor Tomlinson, supported by the Council's Head of Public Protection and Streetsmart and its Environmental Services Manager, responded to members' specific questions and observations on the following topics:

- community safety and reduced crime levels in the Swindon area
- the apparent decline in recorded instances of anti-social behaviour and the method of recording such incidents
- the status of legislation to facilitate work with the police in relation to the merger of community safety teams and their alignment with licensing issues and activities
- the funding for a focused project to tackle an area of alcohol harm
- Swindon as the lead pilot programme for the Ministry of Justice in developing neighbourhood Justice Panels
- the positive parliamentary response to the policing of the supply of so-called "legal highs", this partly as a result of the work done by the Community Safety Teams in Swindon
- the safe storage and sale of fireworks from temporary locations and the inspection of such high risk premises
 - the officer's commitment to notify ward members of the identification and inspection of premises used for the temporary sale of fireworks
 - the Cabinet Member's commitment to review the issue of the licensing of premises used for the temporary sale of fireworks
- issues around the re-designation of categories of anti-social behaviour

- the community safety service, the proposed merger of community safety teams and the case for the retention and continuation of the dedicated Swindon Community Safety Team
- the effect of Government changes to anti-social behaviour orders
- proposed changes in relation to the future positioning of the Council's planning enforcement service
- the effectiveness of the neighbourhood policing team
- the extent of drug and alcohol misuse and the effectiveness of current strategies in dealing with drug and alcohol misuse related problems
- issues around the licensing of premises to sell alcohol, particularly regarding the position of smaller independent traders
- noise nuisance abatement and food standards services
- proposals to control of the use of A Boards
- the Streetwatch pilot project and briefings for members regarding the project
- the failure to properly brief ward members on the development of the Neighbourhood Justice Panels pilot programme
- issues around the safe and warm scheme
- domestic violence and partnership working to better identify and respond to incidences of domestic violence
 - consultation on the Domestic Violence Strategy and the incorporation into the associated action plan of the recommendations of the Safer and Stronger Overview Committee's Task Group on this issue
 - provisions for safeguarding male victims of domestic violence
- the lack of "flexibility" and manoeuvrability within the existing town centre CCTV network and improvements that might be facilitated by the new 4G project
- the transfer of budgets currently controlled by the Council to the new Police and Crime Commissioner (to be appointed in November 2012) and related funding issues
- the Council's particular involvement in policing the Olympics for counterfeit items and ambush marketing

Resolved - (1) That Councillor Vera Tomlinson, Cabinet Member for Cabinet Member for a Safer and Stronger Borough, and her support officers, be thanked for attending the meeting and for their full and open responses to members' questions on service areas and issues within the Cabinet Member's portfolio of responsibility.

(2) That the Head of Streetsmart's commitment to convening ward member briefings on the details of the pilot Streetwatch scheme be welcomed.

(In accordance with the National Code of Local Government Conduct, Councillor Bob Wright made a non-prejudicial declaration of interest in respect of the Committee's consideration of matters relating to domestic violence. Councillor Wright's declaration was in his capacity as a trustee of an organisation concerned with cases of domestic violence.)

33. Budget Advisory Task Group

Resolved – (1) That a Budget Advisory Task Group of the Scrutiny Committee be established, to scrutinise and inform the Council's budget setting processes. That the membership of the Task Group reflect the overall political balance on the Council at present (2 Conservatives, 1 Labour and 1 Liberal Democrat).

(2) That the political groups advise the Committee Clerk of their group's appointments to the Task Group at the earliest opportunity.

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SCRUTINY COMMITTEE

MONDAY, 5 NOVEMBER 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, James Robbins, Robert Wright and John Haines

Councillors Mike Bawden, Mark Edwards, Cabinet Member for Finance, Fionuala Foley, Cabinet Member for Streetsmart and Corporate Services, Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, Russell Holland, Cabinet Member for One Swindon, Localities and Housing, Garry Perkins, Cabinet Member for Regeneration and Culture, Dale Heenan, Russell Holland, Garry Perkins, Keith Williams, Mike Bawden, Mark Edwards, Fionuala Foley and Steve Wakefield were also in attendance.

Apologies for absence were received from 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, Maureen Penny and David Wood

33. Declarations of Interest

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

34. Public Question Time

Mr Brian Cockbill put questions regarding:

1. The circumstances in which written answers are provided to public questions.
2. The monitoring of usage of Thamesdown Transport and Stagecoach buses by means of tickets issued and monitoring arrangements when circumstances prevent tickets being issued.
3. The proposed reduction in bus services in 2013 and the criteria for identifying routes to be reduced or removed.
4. The current location of the "Caribbean Cup" presented to the Council in 1962.

Mr Cockbill's question nos. 1 and 4 were answered by the Chair at the meeting. The Chair advised that Mr Cockbill's questions 2 and 3 would be referred to Councillor Keith Williams, Cabinet Member for Leisure and Strategic Transport, to provide written responses.

Mr Cockbill referred to several questions he had put to the last meeting of the Committee regarding the Council's investment in the Wi-Fi project. The Chair confirmed that these would be considered later in this meeting, when the Committee received the Wi-Fi Project Update report (Agenda Item No. 5 refers).

Mr Richard Symonds, a resident of the Bramptons, Shaw, put eight questions, all relating to issues concerning the financial accounts of Digital City (UK) Ltd and the recovery by the Council of loans made to that company. The Chair confirmed that these would also be considered later in this meeting, when the Committee received the Wi-Fi Project Update report (Agenda Item No. 5 refers).

35. Consideration of Cabinet Decisions

A. *Meeting of the Cabinet Panel on School Organisation held on 31st October 2012*

The Director of Law and Democratic Services submitted a report introducing decisions arising from the meeting of the Cabinet Panel on School Organisation held on 31 October 2012.

10. *Proposals for the permanent expansion of Haydonleigh and Even Swindon Primary Schools*

In the absence of Councillor David Renard, Cabinet Member for Children's Services, Councillor Russell Holland, Cabinet Member for One Swindon, Localities and Housing and Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, supported by the Council's Head of Commissioning - Economy /Attainment CHN - Schools and Learning, responded to questions put by the Chair regarding the consideration given by the Panel to the concerns of residents about the development of the extension and measures to avoid exacerbating the potential for flooding, particularly in Meadow Road.

Resolved – That Minute 10 of the Cabinet Panel on School Organisation be noted.

B. *Meeting of the Cabinet held on 31st October 2012.*

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 31 October 2012.

60. *Community Governance Review: references from Corporate Governance Review Working Party*

Resolved – That Minute 60 of the Cabinet be noted.

36. W- Fi Project Update Report

Further To Minute 29, the Chair advised the meeting of the answers provided by the Leader of the Council to the series of questions put to him by Mr Brian Cockbill at the last meeting, regarding matters concerning the Council's Wi-Fi project and, in particular, the final accounts of Digital City (UK) Ltd. At the invitation of the Chair, the Council's Board Director Finance, Revenues, Benefits and Property responded to supplementary questions put by Mr Cockbill regarding the arrangements by which payments were made by the Council to Digital City (UK) Ltd and shareholder access to the company's accounts.

The Chair continued, putting questions submitted by Mr Richard Symonds on the following issues:

1. The delay in making the final accounts of Digital City (UK) Ltd available to the Committee and public inspection of the final accounts.
2. The completion of the accounts and the inspection of these completed accounts by the Scrutiny Committee.
3. The use by Digital City (UK) Ltd of the £400k loan and the element of that sum used to meet salaries.
4. The payment made by the Council for the preparation of the accounts and any contribution made by Directors to those costs.
5. Financial penalties incurred by the late submission of the accounts.
6. Responsibility for meeting the cost of any such penalties incurred as a result of the late submission of the accounts.
7. The potential for legal action to be taken by the Council to recover the value of the loan plus accumulated interest and costs associated with the preparation of the final accounts.
8. The potential for legal action being taken by the Council against the Company if it is proven to have traded whilst insolvent.

The Chair and Councillor Garry Perkins, Cabinet Member for Regeneration and Culture, supported by the Director of Law and Democratic Services, responded at the meeting to Mr Symonds question nos. 1 to 4 and 7 and 8. The Council's Board Director Finance, Revenues, Benefits and Property was asked to provide written responses to Mr Symonds' question nos. 5 and 6. Councillor Perkins also responded to supplementary questions put by Mr Symonds.

The Chair indicated that, to facilitate members' debate of this item, it was his intention that the item be considered in two parts, firstly, matters relating to the new, UK Broadband Wi-Fi scheme, and, secondly, matters relating to the original, Digital City (UK) Ltd scheme.

UK Broadband (UKB)

The Council's Board Director Transformation and Strategic Projects introduced the report, included in the Committee's agenda papers, providing an update on the new network and plans in going forward with the UKB high speed wireless infrastructure in Swindon. The Board Director expanded on the contract arrangements with UKB and the implementation of the project, advising that the core network had gone live on 8 October, with the 4G LTE implementation providing fixed wireless 4G high speed superfast broadband covering approximately 65,000 households and 2,600 local businesses. The Committee noted that the second part of network, the Council's own network, was also being implemented, and that some 50 sites, including schools and community centres, were ready to be handed over to Capita in the next week or so. The Board Director commented that savings attributed to the

scheme would be secured when the new network was commissioned. He concluded his introduction by advising that business cases would now be formulated in respect of service improvements that might be achieved as a result of the availability of the new network and that UKB would be investigating the expansion of the network to cover rural areas.

Following the introduction of the report, the Board Director and Councillor Perkins, Cabinet Member for Regeneration and Culture, responded to members' questions and observations on the following matters:

- the availability of information for members regarding the details of the scheme and proposals for its future expansion
- the officer's description of the UKB network and details of its potential capacity
- the scheme's use of directional radio transmission to secure savings through the avoidance of BT landline costs and the possible impact of this strategy on the cost of national and international connections provided by BT
- the accuracy of the estimation of the level of savings resulting from the project
- the ownership of transmission equipment located on the 13 core transmission sites
- the total number of households with access to the service and the cost of the various service packages
- 4G access through certified mobile 4G LTE devices
- the implications of levels of "service take up" for projected savings
- the Council's entitlement to a percentage of profits accruing from sales to other public sector organisations
- the absence from the report of alternative options to the UKB proposal and the lack of comparative information to assist the Committee in determining if the scheme presents value for money
- the limitations and "future proofing" of the network
- coverage in the rural areas

Resolved – (1) That the report be noted and that this Committee wishes the UKB project every success.

(2) That the Committee welcomes the offer of the Cabinet Member for Regeneration and Culture to arrange for a full briefing to be made to members on the detail of the UKB project, particularly in relation to the extent of the project and services that will be available to some 67,000 households in the borough and also changes to be made within the Council as a result of the availability of 4G LTE technology.

Digital City (UK) Ltd Wi-Fi Project

At the invitation of the Chair, Councillor Garry Perkins, Cabinet Member for Regeneration and Culture, made a brief position statement regarding the Digital City (UK) Ltd Wi-Fi project. Councillor Perkins commented on some of the major issues, including the level of monies made available by the Council to support the project, his own role as a director of the company, and the additional costs incurred in Highworth project compared with original estimates. Councillor Perkins emphasised that the priority had always been to secure a valuable asset for Swindon whilst protecting the Council's investment and he maintained that, without the Digital City scheme, the current UKB project would not have been achievable. He concluded that the

minimum expectancy was now that the Council's investment in the scheme be fully recovered plus a nominal 20% interest amount.

On the conclusion of his introductory statements, Councillor Perkins circulated "abbreviated" versions of the finalised Digital City (UK) accounts for members' consideration.

In response to a supplementary public question put by Mr Brian Cockbill, the Chair agreed that Mr Cockbill be advised as to how he might acquire a copy of the finalised accounts of Digital City (UK) Ltd.

Resolved – (1) That a Task Group of 4 members (2 Conservative and 2 Labour) be established to review the details of the finalised accounts of the Digital City (UK) Ltd Wi-Fi project and the Price Waterhouse Cooper report relating to that project. That the review be expanded as appropriate to include any issues arising from the Working Party's consideration of these documents.

(2) That the Chair's guidance, at the meeting, that the review focus on outstanding matters that can be resolved through the examination of the finalised accounts and the PWC report, and not revisit issues that have already been the subject of review by the Scrutiny Committee, be noted.

(3) That the Working Party report back to a special meeting of the Scrutiny Committee to be convened early in January 2013.

(4) That it be agreed that the Chair of the above Working Party should not exercise any casting vote in determining the outcomes of the review.

(5) That the Cabinet Member for Regeneration and Culture be thanked for his attendance.

37. Question and Answer - Cabinet Member for Streetsmart and Corporate Services

Councillor Fionuala Foley, Cabinet Member for Streetsmart and Corporate Services, was in attendance. Following a position statement in which she summarised performance in respect of the various service areas within her portfolio of responsibility, including her assessment of what she felt had been done well, what might have been done differently and lessons learned, and the challenges facing her portfolio in future, Councillor Foley, with the assistance of her support officers, responded to members' specific questions and observations on the following topics:

- efforts to increase members' usage of the hotline facility and the distinction to be made between the use of the hotline and the arrangements in place to facilitate members' input to the localities decision making process
- the Government's proposed end to strict liability for employers and the consequent shift in the onus for Health and Safety responsibilities to employees
 - the Council's evidencing of due diligence and compliance with the requisite new management practices
- street lighting maintenance issues and responsibilities
- the occasional failure of officers to advise members of the outcomes of issued raised
- Control Room performance in relation to the handling of Homeline Service and Emergency calls and the detail of the related key performance indicator
- the reporting pathway in relation to Health and Safety issues

- the increased number of penalty charge notices that have been challenged
- the availability of civil parking enforcement comparative information
- the Health and Safety implications of joint working with the community and related governance arrangements
- the organisational structure and responsibilities in relation to Streetsmart and Corporate Services
- the feasibility of replicating the One Stop Shop facility within each of the localities
 - the availability and utilisation of community library services to support people's access to services
- issues relating to the Capita contract
 - Capita's Financial HQ in Jersey
- the flexibility of the contract with Capita to achieve additional savings, in line with the additional savings required from other Council Departments to find budget reductions necessary as a result of the Government's austerity measures
- the incremental partnership with Capita and the possible transfer of additional services to Capita
- the reinstatement and replacement of "worn out" double yellow line road markings
 - the possibility of an increased number of parking notice challenges due to faded yellow lines
- the Council's street lighting asset management role, the identification of failed streetlights and the carrying out of maintenance works
- cemeteries and crematorium services
 - cemeteries closed for future burials and the Council's responsibilities for closed churchyards in Parished areas
 - bereavements and cremation and the differential charge in respect of bereavements from outside the Swindon Borough area.
- the Streetsmart budget and meeting Locality priorities
 - the transition of information between the Streetsmart service and the localities and members regarding prioritised works and agreed work programmes
- the removal and storage of the vehicles of persistent evaders of parking fines and the position regarding other internationally registered vehicles
- the percentage of challenges made to penalty charge notices (PNC) that were accepted and cancelled (48%) and the availability of national comparative information
- trends relating to complaints about missed waste and recycling collections

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 Fionuala Foley, the Cabinet Member for Streetsmart and Corporate Services, and her support officers, be thanked for attending the meeting and for their full and open responses to members' questions on service areas and issues within the Cabinet Member's portfolio of responsibility.

SCRUTINY COMMITTEE

MONDAY, 26 NOVEMBER 2012

PRESENT:- Councillors Kevin Small (Chair), Peter Heaton-Jones (Vice-Chair), John Ballman, Toby Elliott, Claire Ellis, Richard Hurley, Des Moffatt, Maureen Penny, James Robbins, Robert Wright and John Haines

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, was also in attendance.

Apologies for absence were received from Councillors Brian Ford, Colin Lovell and David Wood

38. Declarations of Interest

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

39. Public Question Time

No questions were asked under Standing Order 28.

40. Minutes

Resolved – That the minutes of the meeting held on 22nd October 2012 be confirmed and signed as a correct record.

41. Law and Democratic Services - An Overview

The Committee received a report of the Director of Law and Democratic Services providing a review of the services provided by, and the performance of, the Legal Services and the Committee and Member Services teams within the Law and Democratic Services Department.

The Director was in attendance and introduced the report, providing an overview of the Department's services, both its direct, customer facing operations and support to Councillors and other Council directorates, an assessment of the performance of the Legal and Committee and Member Services' teams in relation to its Business Plan objectives and details of issues continuing into the 2012/13 Municipal Year and new issues to be addressed in 2012/13. It was noted that the Department, part of the Transformation and Strategic Projects Directorate, was divided into four main divisions (Electoral Services; Conveyancing, Environment and Contracts (Legal); Litigation and Personal Services (Legal); and Committee and Member Services (including Swindon Registration and Celebratory Service)) but that, in order to limit the scope of the review to a manageable size, the Electoral Services team had been excluded from the scope and much of the detail of the review.

Following his introduction of the report, the Director, supported by the Committee and Member Services Manager, the Head of Conveyancing, Environment and Contracts

and the Head of Litigation and Personal Services, responded to members' questions and observations on the following matters:

- resources and staffing within each team
 - staff numbers and the total number of Full Time Equivalent (FTE) posts across the Department
 - comparative numbers for previous years
 - the reduced staffing level within Committee and Member services from 30 November 2012
- the balance to be struck between the cost of providing a service and maintaining a high quality service that provides value for money
- legal services' support to other service areas in relation to parking, street trading and waste disposal offences
- legal services' support in relation to the Council's development control function
- the number of questions received by the Council over the period of a year that were registered as Freedom of Information requests
- Legal Services' Lexcel Accreditation
- the "call-off" arrangement with other firms of solicitors for the discounted "bulk purchase" of legal services
- support for the town twinning network and the Council's town twinning grant budget and application process
- the continued drive for cost efficiencies and the exploration of the enhanced use of on-line systems and alternatives to Royal Mail
- the opportunity for analysis of the recent disappointing voter turnout for the Police and Crime Commissioner election and the impact of the council by-election in Highworth
- the role of the Council's Returning Officer in relation to the Electoral Ward Boundary Review of the Borough
- the status of the Parliamentary Constituency Review and the Community Governance Review of parishes and parish electoral arrangements
- the estimation of costs associated with responding to public questions put at meetings
- the reclamation by the Council of costs incurred in carrying out works to the Mechanics Institute to ensure the safety of the building

Resolved – (1) That the report be noted and that the Director of Law and Democratic Services, and his support officers, be thanked for their attendance at the meeting and for their full and open responses to members' questions.

(2) That the Committee commends the work of the Electoral Services team and congratulates the team on its positive assessment by the Electoral Commission in relation to the successful completion of Borough, Referendum and Parliamentary elections in 2011, coming top of local authorities in the South West and achieving above standard in all areas.

(3) That Mrs Helen Harris, Committee Officer, be advised of the Committee's best wishes to her for a long and happy retirement.

42. Question and Answer - Cabinet Member for Strategic Planning and Sustainability

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, was in attendance to introduce this report. 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 better or differently and what challenges his portfolio would face over the next year, Councillor Heenan, supported by the Council's Head of Planning Services, responded to members' specific questions and observations on the following topics:

- the introduction of the Community Infrastructure Levy (CIL) and the criteria under which Section 106 monies can be secured
- the strategic transport policy and the delivery of the requisite infrastructure to support the future anticipated growth of the borough
- public consultation on the revised draft Local Plan, the anticipated timeframe for collating and reviewing responses and the management of the progress of the Plan following the consultation exercise
- Swindon's Heritage sites and their importance in promoting Swindon as a "place of destination"
- the draft protocol for the development of neighbourhood plans and their alignment with the Local Plan
- the likelihood that the electrification of the Great Western Railway will evidence an increased population in Swindon and the possibility of some provision being made in the Local Plan for a local rail network
- Government designated Enterprise Zones and the possibility of introducing a "Swindon version" of an Enterprise Zone
- the Planning appeal process and the lack of accountability of the Planning Inspectorate to the Council and local residents
- the Planning Inspectorate's timeframe for a decision in respect of Ridgeway Farm
- Jubilee Woods and the views of local residents that tree planting should not take place alongside Akers Way

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 Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, and the Head of Planning Services, be thanked for attending the meeting and for their full and open responses to members' questions on service areas and issues within the Cabinet Member's portfolio of responsibility.

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SCRUTINY COMMITTEE

MONDAY, 17 DECEMBER 2012

PRESENT:- Councillors Kevin Small (Chair), Toby Elliott, Brian Ford, Colin Lovell, Des Moffatt, Maureen Penny, James Robbins, Robert Wright, Wayne Crabbe, Mary Friend, Jim Grant and John Haines

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, Fionuala Foley, Cabinet Member for Streetsmart and Corporate Services, Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, Garry Perkins, Cabinet Member for Regeneration and Culture, Vera Tomlinson, Cabinet Member for a Safer and Stronger Borough, Keith Williams, Cabinet Member for Leisure and Strategic Transport and Mike Bawden were also in attendance.

Apologies for absence were received from Councillors Peter Heaton-Jones (Vice-Chair), John Ballman, Claire Ellis, Richard Hurley and Mike Bawden

43. Declarations of Interest

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

44. Public Question Time

Mrs Kareen Boyd, a resident of Hesketh Crescent, Old Town, Swindon, put a series of questions relating to the Council's proposal to provide a school within the boundary of Mouldon Hill Country Park.

The Chair responded to Mrs Boyd's questions, and her supplementary questions, at the meeting and agreed to provide her with a fuller written response in respect of her questions regarding (i) her perception that there is an absence of any substantive evidence of due diligence by officers involved or any scrutiny by Cabinet in relation to the Mouldon Hill proposal, and (ii) her perception that, in utilising school place planning data, the Council does not apply consistent logic in determining the need for schools in different areas of the Borough.

The Chair also agreed that Ms Boyd's request for an independent review of the Council's primary school places allocations policy be considered by the Committee during its consideration of Cabinet Minute No. 70 ("Additional School Places – Town Centre and North Swindon").

Mr Richard Symonds, a resident of The Bramptons, Swindon, asked a question regarding the minutes of the meeting of the Committee held on 5th November 2012. He also asked a supplementary question regarding outstanding written answers to two questions put by him at that meeting. The Chair responded to Mr Symonds' questions and asked that officers ensure that the outstanding written responses be provided at the earliest opportunity.

Mr Symonds continued, putting several questions relating to the Task Group established by the Scrutiny Committee to review the finalised accounts of Digital City (UK) Ltd. The Chair responded to Mr Symonds questions at the meeting.

45. Minutes

Resolved – That the minutes of the meeting held on 5th November, 2012, be confirmed and signed as a correct record.

46. Consideration of Cabinet Decisions

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 12th December 2012.

66. Budget Management 2012/13 and Draft Budget 2013/14

Resolved – That Minute 66 of the Cabinet be noted.

67. Capital Programme Monitoring 2nd Quarter 2012/13

Councillor Keith Williams, Cabinet Member for Leisure and Strategic Transport, responded to questions put by Councillors Des Moffatt and Bob Wright regarding Broome Manor Golf hospitality and the restoration of the Faringdon Park railings.

Resolved – That Minute 67 of the Cabinet be noted.

68. Council Tax Discounts and Exemptions

Resolved – That Minute 68 of the Cabinet be noted.

69. Council Tax Support Scheme

Councillor Mark Edwards, Cabinet Member for Finance, responded to a question out by Councillor Bob Wright regarding costs attributed to the introduction of the proposed Council Tax Support scheme for Swindon.

Resolved – That Minute 69 of the Cabinet be noted.

70. Additional School Places – Town Centre and North Swindon

Councillor David Renard, Deputy Leader of the Council and Cabinet Member for Children's Services, responded to members' questions on the following issues:

- the use of Primary Care Trust data to determine the requirement for additional school provision in North Swindon and the consistency of approach in the way that data was used to determine the requirement for the Croft school
- the assumption in the report that there were no realistic alternatives to the Mouldon Hill site for the location of a school in North Swindon
- the reasons for discounting the Clarry Road site in Haydon Wick and the former Park and Ride site at Groundwell
- the capacity for the further expansion of existing schools in the Northern sector

- the Council's alternative proposals in the event that the consultation response to the Mouldon Hill proposal is against the development of a school on this site
- the inaccuracy of the Core Strategy document's population estimates when compared to Census figures and the Cabinet Member's sense of the areas that will under pressure for additional school places
- the potential effect of the proposed school development on future plans for the extension of the Swindon and Cricklade Railway through Mouldon Hill and its link to the national rail network
- the potential for the development to affect the future development of the Mouldon Hill Country Park
- the anticipated infrastructure requirements to provide access the proposed school site and associated cost estimates
- the location of the school buildings in relation to the projected route of the Swindon and Cricklade Railway, future access to the site from beyond the railway line and the possibility that the development might have detrimental planning implications for the future extension of the Swindon and Cricklade Railway
- the flood risk assessment of the site
- the proposed school development in relation to the assessment of the long term school provision requirement for the Northern Sector
- the need to strike a correct balance between permanent classroom provision and temporary provision to respond to short term accommodation pressures
- apparent "misinformation" about the capacity of town centre schools to expand and the failure to identify sites in the Northern Sector as an alternative to town centre sites for new school development
- the absence of consultation on the possibility of using available space within the Swindon Academy
- the decision making process and due diligence in submitting the Mouldon Hill option to Cabinet
- the last occasion there was a fundamental review of the processes for determining the need for primary school places
- the evidence supporting the need for an additional denominational school in the town centre area and the available provision for parents wanting their children to attend non-denominational schools

Resolved – That Minute 70 of the Cabinet be noted.

71. *Economic Strategy for Swindon Consultation and Adoption*

Councillor Garry Perkins, Cabinet Member for Regeneration and Culture, responded to questions put by (i) Councillor Mike Bawden, regarding the priorities for Swindon's Economy, set out in the report, and, particularly, the omission of any reference to support for existing financial sector institutions in Swindon and investment to attract other such institutions to Swindon, and (ii) Councillor Jim Grant, regarding the "ownership" of the strategy.

Resolved – That Minute 71 of the Cabinet be noted.

72. *Reduced Car Parking Tariff for Businesses*

Councillors Garry Perkins, Cabinet Member for Regeneration and Culture, and Keith Williams, Cabinet Member for Leisure and Strategic Transport, responded to questions put by Councillors Des Moffatt and Bob Wright regarding “block bookings” by businesses and the effect of the proposals on existing businesses using the Carfax Street Car Park.

Resolved – That Minute 72 of the Cabinet be noted.

73. *Towards a Local Bus Strategy*

Councillor Mark Edwards, Cabinet Member for Finance, agreed to provide a written response to a question put by Councillor Des Moffatt regarding the likely impact of the proposals on the take up of concessionary fares. Councillor Edwards also responded to a question put by Councillor Bob Wright regarding the impact of the proposals on bus users and the extent and validity of the Diversity Impact Assessment undertaken in respect of the proposals.

Resolved – That Minute 73 of the Cabinet be noted

74. *Swindon Heritage Strategy*

Resolved – That Minute 74 of the Cabinet be noted.

75. *Mechanics Advisory Group*

Resolved – That Minute 75 of the Cabinet be noted.

76. *Higher Education in Swindon*

Resolved – That Minute 76 of the Cabinet be noted.

77. *Swindon Capita Partnership; Progress, Achievements, Challenges 2011-2013*

Resolved – That Minute 77 of the Cabinet be noted.

78. *Assets of Community Value – Right to Bid*

Resolved – That Minute 78 of the Cabinet be noted.

79. *Independent Remuneration Panel on Councillors’ Allowances – Recommendations 2012/13*

Resolved – That Minute 79 of the Cabinet be noted.

80. *Houses in Multiple Occupation*

Resolved – That Minute 80 of the Cabinet be noted.

81. *References from the Swindon Children’s Trust Board and the Housing Advisory Forum*

Resolved – That Minute 81 of the Cabinet be noted

82. *Wiltshire and Swindon Waste Sites Allocations Plan – Inspectors Report and Adoption*

Resolved – That Minute 82 of the Cabinet be noted.

83. *Middle Wichelstowe and District Centre*

Resolved – (1) That Minute 83 of the Cabinet be noted.

(2) That the Leader of the Council's commitment to continued consultation with Ward Councillors on this proposal be noted.

84. *Swindon's Waste Management Strategy - Update*

The Chair proposed, and the Committee agreed, that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the Committee's discussion of Cabinet Minute 84 on the grounds that it involved the likely disclosure of exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A of the Act (Information relating to the financial or business affairs of any particular person, including the authority holding that information).

Following the exclusion of the public and press, Councillors Rod Bluh, the Leader of the Council, Mark Edwards, the Cabinet Member for Finance, and Garry Perkins, the Cabinet Member for Regeneration and Culture, supported by the Council's Head of Corporate Finance, responded to questions put by Councillor Mike Bawden and members of the Committee regarding the Cabinet's decision to offer a loan to Swindon Commercial Services for the build costs of a refuse-derived fuel plant.

Resolved – (1) That Minute 84 of the Cabinet be noted.

(2) That a further report be submitted to the Scrutiny Committee on the detail of the proposal to convert the Council's municipal waste into a refuse-derived fuel (RDF).

47. FSL - Review of performance, finances and business plan including performance management of New Swindon Company

The Committee received a joint report of Councillor Garry Perkins, the Cabinet Member for Regeneration and Culture, and the Council's Head of Commissioning, Economy and Attainment, providing an update on the progress of Forward Swindon Limited (FSL) in delivering the Council's regeneration, place marketing, economic development, inward investment and cultural development objectives. The report also provided a summary review of the performance of the former New Swindon Company.

Councillor Perkins briefly introduced the report, and, with Mr Ian Piper, the Chief Executive of Forward Swindon Limited and Mr Robin Bailey, the Chair of Forward Swindon Limited, provided an assessment of achievements and what FSL had been doing well over the period of the last 12 months, things that might have been done differently and what they felt were the major challenges facing FSL in the coming year and in the future. On the conclusion of their initial comments, Councillor Perkins, supported by the Council's Head of Commissioning, Economy and Attainment, and

Mr Piper and Mr Bailey responded to members' specific questions and observations on the following topics:

- FSL's role in relation to the project management of the North Star development
- the Whalebridge traffic management scheme
- the level of private sector investment secured over the period of the year and the inclusion in this figure of the RSL investment
- the level of employment land allocated within the local plan and the role of FSL in working with the Council's planning team to ensure that the inward investment offer is focussed where there is most "leverage" to attract new businesses to Swindon
- FSL's forecast for private sector investment in Swindon and its confidence in these projections
- the failure to meet a number of work theme milestones and targets within FSL's Delivery Plan and the management of delivery expectations to overcome the current negative perception of FSL in some quarters
- the role of FSL in relation to the development and transformation of the Oasis leisure centre site into a regional leisure destination
- the level of FSL's proactivity in encouraging businesses to relocate to Swindon
- the condition and future presentation of public realm areas in non-town centre commercial locations
- the enhancement of the international marketing of Swindon
- the relationship of FSL with small and medium size enterprises in the town centre and the value of getting these "on board" to promote the FSL remit and messages
- departmental responsibility within the Council for business and economic development
- the distinction between the achievements attributed in the report to the former New Swindon Company and those of FSL
- the scope of the development of the "BHS site" and the reasons for the New Swindon Company's initial opposition to the scheme
- the quality of apprenticeship schemes in Swindon
- opportunities and mechanisms to encourage the relocation away from the town centre of businesses where the particular business activity is considered incompatible with urban areas
- FSL's liaison with the Council's planning department in relation to the proactive encouragement of change and improvement in particular areas
- FSL's overarching goal to generate and retain greater prosperity for all Swindon people and specific proposals for encouraging investment for the regeneration of the rural areas, both as hubs for tourism and as seeding grounds for small to medium sized enterprises
- the possibility that there will be a decline in Heathrow Airport's operation as a major international hub and the likely detrimental effect of that change on the West Country economy, including that of Swindon
- Town Twinning and opportunities for FSL to utilise twinning relationships to raise Swindon's national and international profile
- the composition of the FSL Board and Board members' personal investment in Swindon and its future

Resolved – (1) That the report be noted and that Councillor Garry Perkins, the Cabinet Member for Regeneration and Culture, and Mr Ian Piper, the Chief Executive of Forward Swindon Limited and Mr Robin Bailey, the Chair of Forward Swindon Limited, be thanked for attending the meeting and for their full and open responses to members' questions on the progress of Forward Swindon Limited (FSL) in delivering the Council's regeneration, place marketing, economic development, inward investment and cultural development objectives.

(2) That a further progress report be made to the Committee in one year's time.

(In accordance with the National Code of Local Government Conduct, Councillor Toby Elliott made a declaration of interest in relation to this item in his capacity as a the owner of a town centre located business.)

48. Leader of the Council: Annual Report - Half Year Update

The Committee agreed that consideration of the Leader of the Council's Half-Year update report be considered at another meeting.

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HEALTH OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 14 NOVEMBER 2012

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

Michael Barnes (NHS Swindon), Paul Bearman (NHS Gloucestershire and Swindon), Kevin Connor (AWP), John Gilbert (Swindon Borough Council), Dawn Hales (GWH NHS Foundation Trust), Cherry Jones (NHS Swindon and Swindon Borough Council), Dr Jose Ortega (NHS Swindon and Swindon Borough Council), Jan Trethewey (SEQOL), and Nerissa Vaughan (GWH NHS Foundation Trust).

Apologies for absence were received from Councillors Ray Ballman (Vice-Chair) and Maureen Penny and from Dr Peter Crouch.

33. Declarations of Interest

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

34. Public Question Time

Ms Kara Stay, a resident of Chiseldon, referred to the Committee's intention to consider the issue of complementary and alternative medicine and invited members of the Committee to attend an exploratory meeting with patients and therapists to increase their understanding of the extensive range of complementary therapies and treatments available in Swindon. The Chair thanked Ms Stay for her invitation and asked that she liaise with the Scrutiny Officer to get the details of the meeting and the invitation to each member of the Committee.

Christina, a member of the Health Matters team at a local media outlet, referred to the National Institute for Clinical Excellence (NICE) guidelines, and asked if the Committee was aware that Swindon residents were not able to receive treatment for lower back pain in accordance with CG88 of those guidelines. The Chair invited the questioner to contact the Scrutiny Officer in order that she might investigate the matter and provide a written response.

Carole Vallyelly of the GMB referred to reports by GMB members working for Carillion at the Great Western Hospital of work practices that contravened infection control best practice and asked what steps this Committee might take to stop work practices in relation to cleaning services at the hospital that might increase the risk of cross-contamination and put patients at risk. The Chair asked the Chief Executive at the Hospital to investigate the claims and to report back to the Committee.

Chris Watts of the GMB referred to disciplinary action taken by Carillion against GMB members working at the hospital, in apparent contravention of the Protected Disclosure Act ("Whistleblowers Act"), and asked what action the Committee might take to ensure that staff are not intimidated into not reporting incidences of malpractice. The Chair asked the Chief Executive at the Hospital to investigate the

claims and to report back to the Committee.

Jackie Habgood, a former state registered nurse and health visitor, referred to the damage that can be caused to patients by the use of drugs prescribed as a result of mis-diagnosis and asked how the NHS could justify treating chronic illnesses with drugs when simple nutritional therapy might be more appropriate and helpful. The Chair thanked Ms Habgood for her question and agreed that a written response be provided.

(In accordance with the National Code of Local Government Conduct, Councillors Ford and Richards made personal non-prejudicial declarations of interest on the grounds that both knew this questioner.)

Mandy Parsons referred to her particular lifestyle and the restrictions on her access to NHS preventative health care services without her being demonstrably ill or having to pay for such services. She asked if the Committee might provide a voice to demand health care for all, not just sickness care for those who are unaware of the negative impact of prescription drugs or are too poor to make any choice beyond no care at all. The Chair thanked Ms Parsons for her question and observations.

35. Minutes

Resolved - That the minutes of the meeting held on 3rd October 2012 be confirmed and signed.

36. 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 Great Western Hospital. The Chief Executive introduced the report, highlighting matters of particular significance and responding to members' questions and observations on the following issues:

- improvements to dementia care services and the pilot scheme to screen all patients aged 75 years and over for signs of memory loss
- arrangements to "protect" meal times at the hospital in order to ensure patients are eating correctly and the feasibility of allowing visitors to remain with patients to assist them with their meals
- recognition of the work of the Prospect Hospice

Resolved – (1) That the report be noted.

(2) That the Chief Executive's invitation to members of the Committee to attend events to be held throughout December to mark the 10 year anniversary of the opening of the Hospital, be noted and that members be encouraged attend events if at all possible.

37. Managing effective Patient Flow at the Great Western Hospital

The Committee received a report providing an update on the work being undertaken, and progress made, within Great Western Hospital with regard to discharges and effective patient flow.

Dawn Hales, the Acute and Community Pathway Manager at the Hospital, presented the report, advising members of the work undertaken over the past year between the Great Western Hospitals NHS Foundation Trust and SEQOL Health and Social Care Services in order to improve the patient journey from the community and back home again and to deliver a wide range of benefits to both the patient and the organisation, including improved patient experience, increased efficiency, the freeing up of resources for other patients, and a reduction in the potential for delays in discharging patients.

Following her presentation of the report, Ms Hales responded to members' questions and observations regarding the content of the presentation.

Resolved – (1) That the report, and the level of work undertaken to date with regard to discharges and effective patient flow be noted.

(2) That Ms Hales be thanked for her attendance at the meeting and for her comprehensive and informative presentation of the report.

(3) That, in response to comments at the meeting regarding recent national media reports, the Chief Executive of the Great Western Hospital submit a report to a future meeting on the detail of the "Liverpool Care Pathway".

38. SEQOL Partner Organisation Update Report

Jan Trethewey, Director of Operations for SEQOL, introduced a report providing the Committee with an update on matters relating to SEQOL, including the smooth transition of the One Step Ahead day service users and support team to the Upham Road facility, the success of its supported employment training and work placements and the appointment of SEQOL Mutual Ambassadors as part of the initiative to allow SEQOL to return the support it had received from the Council and others during the period of its establishment. Ms Trethewey also advised that the dementia care teams at Fessey House and Whitebourne House had been shortlisted for a dementia care awards and that SEQOL had also been shortlisted for the Health Service Journal long term conditions award and for the Philip Baxendale award for employee owned organisations

Resolved – That the report be noted and that SEQOL be congratulated on the awards nominations referred to by Ms Trethewey in her presentation of the report.

39. NHS Swindon Chief Executive Report

Paul Bearman, NHS Gloucestershire and Swindon, presented a report of the Chief Executive, NHS Swindon, on current activity within NHS Swindon and updating the meeting on local and national health-related issues.

Resolved – That the report be noted.

40. Avon and Wiltshire NHS Partnership Trust - Update

Kevin Connor, Area Director with the Avon and Wiltshire Mental Health Partnership NHS Trust, presented a report on the implementation of the redesign of Community Services, as agreed by NHS Swindon and Swindon Borough Council, and the current position of the implementation of the Adult Acute Community Services. The report reviewed the services' current performance in relation to the service redesign

and set out the Trust's current position to address the findings of the recent NHS South SHA independent Review on governance and management arrangements. It was noted that the recommendations from the independent review formed the basis of the objectives in the Trust's implementation plan, "Fit for the Future".

Resolved – That the report be noted.

41. Respite Care for Children & Young People Update

Further to its previous consideration of the provision of short term residential care breaks for children and young people in the NHS Swindon area, the Committee received a report providing an update on the work carried out to identify alternative ways of providing the service and to improve the provision of respite care services for children and young people in Swindon.

Resolved – That the report be noted.

42. Tobacco Control

Cherry Jones, Deputy Director of Public Health, presented a report providing the Committee with an update on Tobacco Control related issues across the borough and the actions being taken and initiatives being introduced to address these and to successfully deliver the Swindon Tobacco Control Plan 2012.

Resolved – That the report be noted.

43. Work Programme

The Committee received a report of the Director of Law and Democratic Services inviting members to review the Committee's work programme for 2012/13 and the work undertaken by the Committee to date.

Resolved – That the report and the revised and updated Work Programme for 2012/13 be noted.

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 21 NOVEMBER 2012

PRESENT:- Councillors David Wood (Chair), Nick Martin (Vice-Chair), Andrew Bennett, Emma Faramarzi, Fay Howard, Cindy Matthews, Maureen Penny, James Robbins and Nadine Watts.

Co-opted Representatives: - Dick Mattick (National Association of Schoolmasters and Union of Women Teachers), Penny Summers (Standing Advisory Council on Religious Education), Andrew Wild (Church of England Diocese) and Melanie Sancto (Swindon Association of Primary School Headteachers).

Apologies for absence were received from Councillors David Renard, Rex Barnett, Colin Lovell, Rochelle Russell, Peter Crockett (Association of Swindon Special School Headteachers), Rachael Matthey (Swindon Association of Secondary Headteacher) and Sam Cantlon (Swindon Youth Forum).

17. 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.

18. Public Question Time

No public questions were submitted for this meeting.

19. Minutes

Resolved – That the minutes of the meeting held on 19th September 2012 be confirmed and signed as a correct record.

Matters Arising:

Minute No 12 – Members noted that the information requested in Minute 12 (Cabinet Member Q&A) would be circulated to Members when received.

20. Co-optee Report

The Committee considered a report of the Director Law and Democratic Services regarding the appointment of a new co-optee to the Children and Young People's Overview and Scrutiny Committee for the remainder of the Municipal Year 2012/13.

The Committee noted that Sam Cantlon would be stepping down as representative of the Swindon Youth Forum.

Resolved – (1) That the appointment of Andrew Wild as replacement for Malcolm Barton as Church of England Diocese representative to the Committee be confirmed.

(2) That Malcolm Barton be thanked for his work and contributions to the Committee over the past years.

(3) That Sam Cantlon be thanked for his work as the Swindon Youth Forum representative over the past year.

(4) That the Scrutiny Officer liaise with Paul Dobson, Project Manager, STEP on recruiting a new Co-optee from the Youth Forum.

21. Youth Forum Report

The Committee received a report from Claire Smith (Participation Manger) on progress made by the Children in Care Council, Young Carers, Youth Forum, Chatterbox Group and the Youth Parliament.

• Children in Care Council

Lesley Taylor advised that she co-ordinated the Children in Care Council and informed the Committee that the Councils' task was to influence work undertaken to support Children in Care within Swindon. She stated that the views of Children in Care carried influence with the Council. Work undertaken by the Council included training of new foster carers and liaising with other Local Authorities to discuss best practices. The Committee enquired if young people within rural areas found it hard to participate. Lesley Taylor confirmed that provision was made to ensure every opportunity was offered to young people wishing to participate. The Committee noted that whilst this work was not part of the Outreach Programme, there was flexibility to ensure young people benefited from facilities made available through it.

In response to a query regarding the educational achievement of Children in Care, Sara Tough, Head of Children and Families, advised that a report would be presented to the Parenting Advisory Board in December 2012 regarding the positive progress made in GCSE results by Children in Care.

• Young Carers

Two young carers attended to inform members of their caring responsibilities and the impact it had on their lives. They commented on work being undertaken by the Young Carers Forum and explained the process of how a young person would be assessed, helped and then registered as a young carer. They also explained the type of support available. They informed the Committee that they were issued with an ID card that could be shown to teachers as evidence that they did have additional caring responsibilities that could impact on their schoolwork or attendance. The Committee noted that the Young Carers Standards Award was a tool utilised in raising awareness of this issue and the young carers welcomed any support that could be provided by the Committee.

• Swindon Youth Forum

Grishma Ramesh, the elected Member of Youth Parliament and her deputy, Naheda Miah updated the Committee on work undertaken by the Youth Parliament. They confirmed that:

- They worked in partnership with Locality Teams.
- A film had been created to raise awareness regarding mental health issues affecting young people.
- Chatterbox was fully established and was a platform to allow young people an outlet to express their views and needs.
- A film had been produced to raise awareness on what Chatterboxes were doing and how this affected them.
- An inspection of Great Western Hospital, Central Library and the

Oasis had been undertaken by Chatterboxes.

In response to a query, the Committee noted that Swindon Youth Forum was a group of 11 – 19 year olds who regularly met to discuss issues that affected young people across the Borough of Swindon and that their aim was to work with schools and within the localities to change the negative perceptions of young people.

The Committee were advised that work focused on the five priorities that had been developed by the Youth Forum for the Children and Young People's Plan

Resolved: (1) That a report on the educational achievement of Children in Care be presented at the Committee meeting to be held on 16th January 2013.

(2) That Outcomes from the inspection regime carried out by Chatterboxes be circulated to members of this Committee.

(3) That the updated Youth Forum report on the Big Arts Day be circulated to members of the Committee.

(4) That the Head of Children and Families be requested to liaise through the Young Carers Forum to raise awareness in schools of the young carers situation and inform the Committee of any support required.

(5) That, further to (4) above, the Committee's Scrutiny Officer be requested to write to Councillor Renard regarding the Young Carers situation.

(6) That, further to (4) above, the Committee's Scrutiny Officer be requested constitute a task group to investigate the identification of future actions to support the Young Carers Standards Award.

(7) That this Committee continue to support the work of the Young Carers, Youth Forum, Youth Parliament and Chatterbox Group.

22. Work Programme 2012/13.

The Committee received a report detailing its current work programme for the remainder of the Municipal Year 2012/13. The Council's Scrutiny Officer advised that this would be updated to incorporate topics agreed by Members during the course of the year so far.

The Committee Officer updated members of the Committee on progress made at the Task Group and that a report with the findings would be submitted to this Committee in January 2013.

Resolved – That the work programme be noted and further revised to incorporate changes agreed at this meeting.

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

TUESDAY, 23 OCTOBER 2012

PRESENT:- Councillors Peter Heaton-Jones (Chair), Mark Dempsey (Vice-Chair), Junab Ali, Mike Bawden, Wayne Crabbe, Toby Elliott, Emma Faramarzi, Mary Friend, Richard Hurley, Julian Price, James Robbins and Steve Wakefield

Apologies for absence were received from Councillors Nicky Sewell.

15. 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 Toby Elliott made a non-prejudicial declaration of interest in respect of Agenda Item No. 5 in his capacity as an owner of a Town Centre business.

Councillor Emma Faramarzi made a non-prejudicial declaration of interest in respect of Agenda Item No. 5 in her capacity as Chair of the Federation of Small Businesses and as a member of the Influence Board (formerly Swindon Strategic Economic Partnership).

16. Minutes

Resolved – That the minutes of the meeting held on 26th September 2012, be confirmed and signed as a correct record.

Matters Arising

Town Centre Master Plan - Councillor Crabbe commented that there had been an in-depth discussion at this meeting about the problems in the town centre, particularly in relation to the lack of policing and the fact that many people would prefer not to visit this part of the town. He felt that these comments were not reflected in the minutes. The Chair advised that all the comments made by Members of the Committee, including those made by Councillor Crabbe, in relation to the Town Centre master plan had been collated and formally submitted as this Committee's contribution to the consultation process.

Mechanics Report – the final draft of the report was tabled at the meeting. The Chair advised that the main revision had been the inclusion of more specific targets and timescales. It was agreed, following a request from Councillor Bob Wright that the Theatres Trust be added to Section 3 (Recommendations and Conclusions of the Advisory Group to Cabinet), under bullet point 5 to now read:

*“Requests the lead member together with the Mechanics Advisory Group and/or relevant officers to seek urgent meetings with and invite proposals from other partners including the Mechanics Institution Trust, Network Rail, the Science Museum, **the Theatre Trust** and the National Trust and provide a report by 31 December 2012 latest.”*

The Chair thanked Councillors Dempsey, Bawden and Wright for their contributions

and advised that the final report would be submitted to Cabinet.

17. Public Question Time

No public questions were received during the meeting.

18. An Economic Strategy for Swindon

The Committee considered the draft Economic Strategy which would form an important part of the evidence base for the emerging Local Plan and was submitted to this Committee as part of the consultation process.

Paddy Bradley (Head of Commissioning, Economy and Attainment) explained that six priorities had been identified following an in-depth analysis undertaken by consultants and that comments from Committee Members were welcome on the vision, priorities and milestones and whether these were ambitious enough. Stakeholders included political leaders, Influence, key businesses such as Nationwide, Intel and Honda, the Federation of Small Businesses, Chamber of Commerce and a range of providers.

The Committee noted that all parties broadly supported the Strategy and there was very little opposition to the document from Cabinet. Councillor Dempsey asked what measures were included within the plan in order to identify successes. Mr. Bradley responded that the Strategy was written in tandem with the Local Plan and the Corporate Strategy and that more detailed measures were contained within these documents. In response to a comment from Councillor Wayne Crabbe regarding the use of hydrogen or electric cars in the future and the possible need for a change to the planning process, Councillor Dale Heenan stated that a future cities bid had been submitted that would consider all environmental and technical issues and that he would welcome any comments on this.

Councillor Wayne Crabbe commented on the need for an employment led strategy rather than a housing led strategy and that access to employment land, such as that at Wichelstowe, would need to be considered. He added that consideration should also be given to the public realm around industrial estates as these were currently in poor condition and therefore created a poor image for potential investors. Mr. Bradley confirmed that these issues were being discussed and considered and added that the data used was based on the census data from April 2011 but that the data would be updated throughout the life of the strategy.

Councillor James Robbins asked how higher education fees had attracted more people into the town. Mr. Bradley responded that Swindon had a market for higher education in that existing businesses were now focussing upon training their existing staff. He added that a range of options were being considered and that a future ambition was to have a higher education facility in Swindon.

In response to a query from Councillor Julian Price, Mr. Bradley commented that one of the roles of Forward Swindon was to help and retain existing businesses. The strategy also contained details on enterprise zones, focussing upon creating conditions for new businesses. Councillor Mike Bawden commented that Swindon did not have enough suitable land for development but that there was a need to remain competitive within the current climate. He added that there was no reference to housing within the strategy and that he felt that housing and jobs should go hand in hand and that the document did not do enough to sell Swindon to potential investors. Mr. Bradley responded that the strategy was not intended as a marketing tool but that he would pass these comments on to Forward Swindon whose role it was to market Swindon to potential businesses.

Councillor Toby Elliott asked how many businesses had been consulted on the strategy. Mr. Bradley responded that the strategy was now being consulted upon and that various networks were being used including the Council website, Influence and other business networks. Benchmarking data had also been used, including an analysis of business rates that showed Swindon was competitive on this issue and that the transport infrastructure, whilst being summarised within the document, was still considered to be a very important element to getting people into Swindon.

In response to a query regarding career advice for younger people from Councillor Mary Friend, a separate piece of work was about raising participation in the learning strategy and the need for schools and employers to work together to provide this advice.

Resolved – (1) That Members of the Economic, Environmental and Sustainability Overview and Scrutiny Committee note the draft Economic Strategy.

(2) That the comments from Members of this Committee on the draft Economic Strategy be collated and submitted to the Cabinet.

19. Great Western Works Task Group

It was agreed, following a proposal by Councillor Steve Wakefield, that a task group be established to consider the 175th anniversary of the opening of Great Western Works in 2016.

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

THURSDAY, 13 DECEMBER 2012

PRESENT:- Councillors Peter Heaton-Jones (Chair), Mark Dempsey (Vice-Chair), Wayne Crabbe, Toby Elliott, Emma Faramarzi, Mary Friend, Richard Hurley, Julian Price, James Robbins and Steve Wakefield

Apologies for absence were received from Councillors Junab Ali, Mike Bawden and Nicky Sewell.

20. 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 Emma Faramarzi made a non - prejudicial declaration of interest in respect of Agenda Item No. 5 in her capacity as Chair of the Federation of Small Businesses and as a member of the Influence Board (Formerly Swindon Strategic Economic Partnership).

21. Minutes

Resolved – That the minutes of the meeting held on 23 October 2012, be confirmed and signed as a correct record.

Matters Arising

Mechanics Report – The Chair advised that Cabinet had accepted this report at their meeting held on 12th December 2012. Cabinet had asked that the report and its recommendations be referred to the Swindon Heritage Board for its consideration and views and that these be considered by the Cabinet Member for Regeneration and Culture who be asked to report back to a future meeting of the Cabinet with a detailed response to the Advisory Group's report, findings and recommendations.

Economic Strategy – The Chair advised that the report and recommendations had been agreed by Cabinet at their meeting held on 12th December 2012. In response to a query from Councillor Crabbe regarding electric charging points for cars, Councillor Heenan, Cabinet Member for Strategic Planning and Sustainability, stated that consideration would be given to this, particularly within strategic sites, during the next Municipal Year.

Great Western Works Task Group – The second meeting of this task group would be held prior to the next Economic, Environmental and Sustainability Overview and Scrutiny Committee meeting on 7th February 2013 at 5pm.

22. Public Question Time

No public questions were received during the meeting.

23. Swindon Borough Local Plan 2026 - Pre-Submission Draft

The Committee received a report on the Swindon Borough Local Plan 2026 which was the main planning policy document for the development and growth of the Borough over the next fifteen years. Councillor Dale Heenan, the Cabinet Member for Strategic Planning and Sustainability, explained that the Plan had already been endorsed by Full Council on 8th November 2012 and that it would be subject to a nine week public consultation period commencing on 20th December 2012.

In response to a query from Councillor Steve Wakefield regarding the cost of the Thamesdown Extension, Councillor Heenan stated that this had been considered as part of the 2009 strategy and that it had been priced at a cost of up to £60M at the time. This cost was representative compared with similar works and additional costs relating to inflation, housing and flood defences would also have to be taken into consideration.

Richard Bell, Head of Planning and Philip Smith, Strategic Planning Policy Manager, gave a brief presentation on the Local Plan and explained that, following the public consultation and submission to the Planning Inspector, the Plan would be adopted by the Council in early 2014. Officers and the Cabinet Member for Strategic Planning and Sustainability responded to the following issues raised by Members of the Committee:-

- The housing target of 1,450 dwellings per annum over the plan period was based on independent figures and trends from the Office for National Statistics. This target was, however, dependent upon economic growth and would be reviewed in line with the economic strategy. For the period 2011 – 2016, the annual average requirement for the Borough would be set at 1,150 dwellings.
- Employment land had been overprovided for by 50%, based upon the number of jobs and the required amount of floor space. Feedback from businesses had resulted in 40 hectare site of new employment land been provided in East Swindon. Consideration had also been given as to how to re-generate existing sites to ensure that they were fit for purpose and all employment land would be flexible dependent upon the type and size of business.
- The importance of finding a balance that suited both housing needs and employment land and to work with developers to ensure that the Council is responsive to their needs as well as the needs of the town.
- The Planning framework would be used as the first port of call for all developments and to ensure that individual entrepreneurs have the same opportunities to develop land. This Plan would also be used to prevent developments where they were not required.
- Swindon was the number one place for start-up of small and medium size businesses, although this was outside the remit of the Local Plan.
- Due to the change in demographics, there were more people choosing to live on their own and that it was important to rise to this challenge, along with an increasing population.
- S106 and community infrastructure levy would allow developers a contribution of an amount per square metre towards projects, for example, the building of a school or a contribution towards every house built. Supplementary planning documents would contain this level of detail and would be considered by the Planning Committee. Work would also be undertaken with developers to ensure that facilities such as broadband and low energy provision were completed in advance of any development.
- All targets within the Local Plan were evidenced based and any additional

requirements would have to be submitted to the inspector along with the evidence to support it.

- The Local Plan allocated strategic sites within the Borough where housing should be located. The Council were committed to certain developments over the next five years, including Wichelstowe, Commonhead and Tadpole Farm.
- There remains an ambition for Swindon to have its own University and Forward Swindon had been commissioned to identify suitable buildings to lease out to other Universities to run courses. There would be an issue over the location of student accommodation.
- Dorcan Interchange was still up for discussion, including local development orders and localisation of business rates.
- There was a strict policy on the protection of playing fields within the Local Plan (CM2 Policy).
- Potential to look at different ways to tackle issues, for example in leasing Council land out to the community.
- The consultation period is for nine weeks and a pro-forma would be available on the Council's web site, along with hard copies in libraries and the one stop shop. Officers confirmed that they would also be attending all the locality meetings. All comments received would be passed on to the inspector in a summary format in April 2013.

Resolved – (1) That the Cabinet Member for Strategic Planning and Sustainability and officers be thanked for attending the meeting.

(2) That the comments from Members of this Committee be submitted as part of the consultation process on the Local Plan, and

(3) That these comments be circulated to Members for feedback prior to being submitted.

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

THURSDAY, 13 SEPTEMBER 2012

PRESENT:- Councillors Brian Ford (Chair), Robert Wright (Vice-Chair), Abdul Amin, Alan Bishop, Mary Friend, John Haines, Colin Lovell, Nick Martin, Ann Richards and Joe Tray

Apologies for absence were received from Councillors John Ballman, Toby Elliott and Julie Wright.

73. Minutes

Resolved – That the minutes of the meeting held on 28th June 2012 be confirmed and signed.

74. Declarations of Interest

There were no declarations of interest.

75. Public Question Time

There were no public questions.

76. Review of Wiltshire Special Constabulary

Richard Palusinski, Head of Community Safety and the Chief Officer, Wiltshire Special Constabulary, and Keith Ewart from Wiltshire Police attended the meeting, answering the following questions put to them by the Committee.

Who are and what is the purpose of the Special Constabulary?
How do their arrest powers operate and how are they funded?
How many Special Constables are able to patrol Independently in Swindon?
What is the capability of the Special Constabulary to provide resources at peak demand times?
What are the current recruitment plans for Wiltshire Special Constabulary?
How many days do Special Constables work per month?
How are the Specials distributed across the Borough?
How has the current budget changed in the past 5 years?
What is the retention rate for Specials over the past 5 years?
Why did the number of arrests by Specials rise sharply between 2010/11 and 2011/12? and other questions.

They advised the Committee that:

Special Constables are volunteers and receive no payments other than out of pocket expenses to travel to and from their place of duty.
Special Constables are attested as a Constable before a Magistrate and have the full powers of a Police Officer. They are required to undertake a minimum of 16

hours per month duty time.

In 2009 a strategy to rebuild and develop the Special Constabulary was agreed by the Chief Officer Group of Wiltshire Police. This strategy addressed 41 recommendations of an independent review that was undertaken by Ian Miller MBE, Special Constabulary Commandant for the City of London Police. In June 2009 a Chief Officer of the Special Constabulary was appointed and a programme of work to address the agreed recommendations was established.

The Special Constabulary now provides support across a wide range of policing function throughout the Wiltshire Police area. These duties include Neighbourhood Police Teams, General Police Duties, Response Policing, Road Traffic Policing and events.

Some examples of the roles and duties of the Special Constabulary include providing home and away specialist football spotters, carrying out local speed checks, providing resources for major operations including Operation Herald (targeting scrap dealers), Operation Atlantic (tackling major drug networks), Operation Distil (tackling drunkenness) and local events including Pride, Swindon Half Marathon and the Queen's visit to Salisbury. Additionally Special Constables provided a major resource backfill during the Olympic Games.

The number of hours delivered by Special Constables in Swindon in the 2011/12 operational year was 20,612 of which 1,535 were training hours, 1,322 were administration hours and 17,755 were operational hours. During these operational hours they carried out 81 arrests, undertook 28 stop/searches, issued 12 endorsable fixed penalty notices and 21 non-endorsable fixed penalties.

Special Constables are deployed in accordance with intelligence led tasking and will therefore be involved in every aspect of policing in Swindon. They were present during the recent raids on scrap yards and disruption activities against organised crime groups and provided full police cover for the recent Pride event in Old Town.

Recruitment continues for the Special Constabulary and there are three planned intakes in the current operational year. Recruitments are sought generally through good news stories in the press and targeted recruitment in locations identified as having low numbers of Special Constables.

Coming from a starting point of 8 Special Constables in Swindon, there were 110 at the end of the last operational year. Current numbers have dropped to 91. The losses have been largely attributable to Specials Securing post as Regular Officers in Wiltshire, Thames Valley and Avon & Somerset Police as well as with the military.

On behalf of the Committee the Chair thanked Richard Palusinski, and Keith Ewart for a useful and informative presentation.

77. Work Programme

The Committee briefly discussed its work programme for the forthcoming year

Section 3

Regulatory Committee Minutes

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LICENSING COMMITTEE

THURSDAY, 6 DECEMBER 2012

PRESENT:- Councillors Richard Hurley (Chair), Junab Ali, Alan Bishop, Wayne Crabbe, Claire Ellis, Emma Famarzi, Peter Heaton-Jones, Derique Montaut, Teresa Page, Steve Wakefield, David Wood and Robert Wright.

Apologies for absence were received from Councillors Andrew Bennett and John Ballman.

16. 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.

17. Minutes

Resolved – That the minutes of the meeting held on 23rd October 2012, be confirmed and signed as a correct record.

18. Public Question Time

No public questions were received during the meeting.

19. Review of the Prohibition of Street Trading in Swindon Town Centre

The Head of Public Protection and StreetSmart submitted (a) a report setting out the possible review of streets in the town centre, designated as prohibited, for the purpose of street trading, and (b) seeking guidance on consultations on any proposed changes to the designation of those streets.

Resolved – (1) That the options set out in the report for street trading in the town centre be noted.

(2) That officers be authorised to undertake consultations on the removal of the prohibition in all or some of the streets in the town centre to re-designate these streets as consent streets with a condition limiting trading to specific times and dates or to weekly or themed markets with such other conditions as may be approved by this Committee.

(3) That, following the consultation set out in (2) above, officers submit a further report to this Committee setting out the results of the consultation, proposals for the re-designation of streets to consent street status and a detailed street trading policy for approval prior to formal advertisement of any proposed changes.

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LICENSING PANEL

THURSDAY, 25 OCTOBER 2012

PRESENT:- Councillors John Ballman, Andrew Bennett and Wayne Crabbe.

33. Appointment of Chair

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

34. 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.

35. Licensing Act 2003 - Temporary Event Notice - Consideration of an Objection Notice

The Panel considered (a) a report of the Council's Licensing Officer setting out an application, by the Council's Environmental Health Team, objecting to a temporary event notice for The King and Queen, 15 High Street, Highworth Swindon, for musical entertainment until 1:00am on 3rd November 2012, (b) representations by Mr. James Holland (Environmental Health Officer), 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 Mr. Adam Campbell (Licensee) in support of the application, (f) questions and answers to officers, the representative of Environmental Health and the applicant, and (g) the Licensing Objectives.

Resolved –That, having carefully considering all representations in support of the objection, evidence from Environmental Health and submissions on behalf of The King and Queen Public House the Panel determined that the Temporary Event Notice for musical entertainment until 1:00am on 3rd November 2012 be granted.

Reasons

1. The Panel determined that there was no compelling evidence that the Licensing Objectives, and in particular the Prevention of Public Nuisance Licensing Objective, would be undermined through the grant of a Temporary Event Notice for a period of one evening.
2. The Panel heard evidence from the management of The King and Queen Public House as to the measures to be put into place to ensure the maintenance of the Licensing Objectives.
3. The Panel heard evidence regarding the current premises licence for The King and Queen Public House allowed for the sale of alcohol until 1:00am, the same time as requested for regulated entertainment.
4. The Panel heard evidence that there had been a total of five complaints against the premises in the previous fifteen months of operation.

The Chair reminded the Environmental Health Team 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

TUESDAY, 27 NOVEMBER 2012

PRESENT:- Councillors John Ballman, Claire Ellis and Alan Bishop

36. Appointment of Chair

Resolved – That Councillor Alan Bishop Chair this meeting of the Panel.
(Councillor Bishop took the Chair.)

37. 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.

38. Minutes

Resolved – That the minutes of the meetings held on 5th and 25th October 2012, be confirmed and signed as a correct record.

39. Licensing Act 2003 - Temporary Event Notice - Consideration of an Objection Notice

Resolved – That this hearing be deferred until 9 a.m. on 28th October 2012 in order to allow a representative of Wiltshire Police to be in attendance and in order to allow officers to ascertain that a valid objection has been received.

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LICENSING PANEL

MONDAY, 3 DECEMBER 2012

PRESENT:- Councillors Alan Bishop, Wayne Crabbe and Emma Faramarzi.

40. Appointment of Chair

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

41. 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.

42. Application for a variation of a Premises Licence for the Bell Hotel, High Street, Old Town, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out a request for a variation of the Premises Licence for The Bell Hotel, High Street, Old Town, Swindon, (b) an objection to the variation received from Wiltshire Police, (c) representations from Councillor Brian Mattock (Ward Councillor) on behalf of local residents against the proposed variation, (d) written objections to the grant of a variation received from Mr. Davis, Mr and Mrs. Dazely, (d) oral representations from Wiltshire Police in support of their objection, (e) oral representations from Peter Laydon, Terry Wright and Mark Wade (management of The Bell Hotel) in support of the variation, (f) questions from Members to the applicants and the Police and the answers received, and (g) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

Resolved – That after considering: -

1. The application for variation to the licence made by the Licensee; and
2. Representations and material put forward on behalf of the Objectors;

And taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

And having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of crime and disorder;
- ii. The prevention of public nuisance
- iii. Public Safety

The Panel has determined the following: -

1. The permitted hours for the sale of alcohol be:

Monday to Thursday 10:00 until 12:00 midnight.

Friday and Saturday 10:00 am until 1:30am (the following morning)

Sunday 10:00 until 12:00 midnight.

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

2. The permitted hours for regulated entertainment be:
Monday to Thursday 10:00 until 11:00pm.
Friday and Saturday 10:00 am until 1:00am (the following morning)
Sunday 10:00 until 11:00 pm.

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

3. The permitted hours for the Late Night Refreshments be:

Monday to Thursday 10:00 until 12:00 midnight.
Friday and Saturday 10:00 am until 1:30am (the following morning)
Sunday 10:00 until 12:00 midnight.

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

4. That in addition to the conditions on the existing Premises Licence the following additional/modified conditions should be applied to the licence:
- i That subject to ii to vi below the conditions set out in pages 26 and 32 to 33, as agreed by the applicants, be appended to the Premises Licence.

Reason

To maintain the Licensing Objectives through conditions agreed between statutory authorities and the management of The Bell Hotel.

- ii That condition 7 on the existing premises licence be deleted and replaced by "There shall be no regulated entertainment permitted in the Courtyard area."

Reason

To facilitate the promotion of the Licensing Objective in respect of the prevention of public nuisance by preventing noise nuisance emanating from an open courtyard with no sound retention measures

- iii. A suitable and sufficient noise assessment, to be agreed with Environmental Health Officers, shall be submitted, as soon as practicable, in writing to the Council's Environmental Health Department.

Reason

To facilitate the promotion of the Licensing Objective in respect of the prevention of public nuisance by preventing noise nuisance.

- iv. That condition 9 set out on page 33 shall be deleted and the current condition one on the licence be maintained.

Reason

To facilitate the promotion of the Licensing Objective in respect of the prevention of public nuisance by preventing noise nuisance.

- v. A last admission time of 1:00am be applied to sessions commencing on Friday and Saturdays

Reason

To facilitate the promotion of the Licensing Objective in respect of the Crime and Disorder by allowing an orderly drinking up period and dispersal of patrons.

- vi That all fire exit doors and escape routes shall be kept unobstructed, in good order with all doors opening in the direction of escape.

Reason

To assist with the management of the premises and to promote public safety.

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

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LICENSING PANEL

WEDNESDAY, 5 DECEMBER 2012

PRESENT:- Councillors Wayne Crabbe, Teresa Page and Steve Wakefield

43. Appointment of Chair

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

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. No declarations were made.

45. Application to Vary Premises Licence - King and Queen Public House, Highworth, Swindon

Resolved – That the hearing be adjourned until 10th December 2012 in order to allow the applicant to attend.

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LICENSING PANEL

WEDNESDAY, 5 DECEMBER 2012

PRESENT:- Councillors Junab Ali, Alan Bishop and Richard Hurley.

46. Appointment of Chair

Resolved – That Councillor Richard Hurley Chair this meeting of the Panel.
(Councillor Hurley took the Chair.)

47. 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.

48. Application to review the Premises Licence for Longs Bar, Victoria Road, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application Wiltshire Police for a review of the Premises Licence for Longs Bar, Old Town, Swindon, (b) oral representations from Wiltshire Police in support of their application for a review, (c) representatives from the management of Longs Bar opposing the review, (d) questions from Members to the applicants and the Police and the answers received, and (e) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

Resolved - The Panel considered The Licensing Objectives, Secretary of State's Guidance, representations made by Wiltshire Police and representations by the management of Longs Bar.

The Panel considered the sale of alcohol to minors to be very serious and carefully considered whether suspension of the premises licence was appropriate.

However, given the Licensee's previous good record, their co-operation with police, new management systems put in place following the failed test purchase and the Panel's view that the imposition of conditions would be effective the Panel decided not take any further action on this occasion.

The Panel therefore imposed the following conditions:

1. - The premises will have a minimum of 2 SIA registered door supervisors on a Friday and Saturday evening and door staff provision on other evenings be established on a risk assessed basis. The door supervisors will wear high visibility clothing at all times.

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

2. - No persons under 18 shall be allowed into the premises after 9 p.m. unless accompanied by an adult.

Reason

To prevent breaches of the Licensing Objectives in respect of the Protection of Children from Harm.

3. - A Challenge 25 policy will apply to the premises and all staff serving alcohol shall be trained in the operation of the scheme so that anyone attempting to buy alcohol who appears to be aged 25 or under will be asked for identification of age in the form of either a valid passport, photo driving licence, government issued identity card, or PASS accredited card or its equivalent successor card, and if none is supplied or that supplied is unacceptable, a sale will be refused and a record kept of the refusal. Staff selling alcohol will be subject to refresher training every 3 months and records of training shall be kept. Records of refusals and training shall be made available to enforcement officers on request.

Reason

To prevent breaches of the Licensing Objectives in respect of the Protection of Children from Harm and the Prevention of Crime and Disorder.

LICENSING PANEL

MONDAY, 10 DECEMBER 2012

PRESENT:- Councillors Wayne Crabbe, Teresa Page and Steve Wakefield

Apologies for absence were received from Councillors .

49. Appointment of Chair

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

50. 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.

51. Application to vary Premises Licence - King and Queen Public House, Highworth

The Panel considered (a) a report of the Council's Licensing Officer setting out a request for a variation of the Premises Licence for The King and Queen Public House, Highworth, Swindon, (b) an objection to the variation received from the Council's Environmental Health Department, (c) written representations received from Ian Vockins, and Keith Smith and Mrs Fox (Local Residents) opposing the variation of the Premises Licence, (d) oral representations from Environmental Health in support of their objection, (e) oral representation by Mrs Fox on behalf of Local Residents, (f) representations from Adam Campbell (licensee) in support of the variation, (g) questions from Members to the applicants and the Police and the answers received, and (h) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

Resolved – That after considering: -

1. The application for variation to the licence made by the Licensee; and
2. Representations and material put forward on behalf of the Objectors;

And taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

And having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of crime and disorder;
- ii. The prevention of public nuisance
- iii. Public Safety

The Panel has determined the following: -

1. The permitted hours for live music be:
Friday 8:00pm to 1:00am (the following morning)
Saturday 8:00pm until midnight

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

2. The permitted hours for the Regulated Entertainment (to include recorded music) be:
Sunday to Thursday 11:00am until 11:00pm.
Friday 11:00 am until 12:30am (the following morning)
Saturday 11:00 until 12:00 midnight.

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

3. That in addition the conditions offered by the applicant and tabled at the hearing be included in the Premises Licence.

Reason

To facilitate the promotion of the Licensing Objectives in respect of the Prevention of Public Nuisance by preventing noise nuisance.

PLANNING COMMITTEE

TUESDAY, 9 OCTOBER 2012

PRESENT: - Councillors Colin Lovell (Chair), Steve Allsopp, Abdul Amin, Paul Baker, John Ballman, Brian Ford, Richard Hurley, Teresa Page and Peter Watts.

Apologies for absence were received from Councillors Toby Elliott, Dale Heenan, Nick Martin, Nicky Sewell and Keith Williams.

165. Appointment of Vice-Chair

Resolved – That Councillor Ford be appointed Vice-Chair for the remainder of the Municipal Year 2012/13.

166. Declarations of Interest

Councillor Allsopp made a prejudicial interest in respect of application numbered S/12/831 and left the room during the voting and discussion thereon.

167. Minutes

Resolved – That the minutes of the meeting held on 11th September 2012, be confirmed and signed.

168. Public Question Time

There were no public questions.

169. 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 comments of Councillors Crabbe, Foley and Bawden in respect of application numbered S/12/0717
- (e) The comments of Councillor Montaut in respect of application numbered S/12/0831
- (f) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/12/0717	Alan Read	Applicant
	Paul Walton	Chiseldon Parish Council
	Eric Shaw	Chiseldon Parish Council
	Bernard Henin	55 Priors Hill
S/12/872	Alex Rathbone	Parsonage House
S/12/831	Richard Holmes	Co-op

Resolved – (1) That, in respect of application numbered S/12/717; (a) the Committee noted that on page 19 of the Officers report it should read:

29. In accordance with policies DS1, DS6, ENV9 and ENV11 and T1 of the Swindon Borough Local Plan 2011...

And (b) that permission be refused for the reasons set out in the report.

(2) That application numbered S/12/0872 be withdrawn and brought back to a future meeting of the Committee for consideration.

(3) That, subject to a referral to the Secretary of State, if deemed appropriate, the Head of Planning be authorised to grant planning permission in respect of application numbered S/12/831 subject to the completion of a S106 planning obligation to secure the necessary contributions to mitigate the infrastructure demand to which the development gives rise and to the conditions set out in the agenda or amended, additional or omitted conditions.

(4) That the reserved matters be approved in respect of application numbered S/RES/12/1124.

170. Land at Moredon Bridge Wiltshire - S106 Update

On consideration of (a) a report of the Head of Planning concerning the current planning circumstances of the Wiltshire County Council development on the land at Moredon Bridge, and specifically in respect of the signed 2009 S106 deed of Unilateral Undertaking and why the developers have yet to pay any of the contributions under the 2009 deed, and (b) the comments of Councillor Moffatt:

Resolved – That the Committee:

(1) Note their dissatisfaction with the loss of S106 monies as a result of developers' refusal to honour the commitment they unilaterally made in 2009 and which persuaded the Planning Inspector to grant planning permission for their development.

(2) Note that the refusal by the developers to fulfil their obligation has now led to the need to open negotiations with Wiltshire Council and the developers on the basis of the updated list of infrastructure requests as set out in table 4 of the report, which officers have recommended are relevant to mitigate the cross border impact on Swindon's infrastructure as a result of the development taking place on the land at Moredon Bridge in Wiltshire.

(3) Under the delegated authority of the Board Director for Service Delivery, and Head of Planning, endorse the submission of the approved updated infrastructure mitigation list to Wiltshire Council with immediate effect.

(4) Under the delegated authority of the Board Director for Service Delivery, and Head of Planning, endorse the continuation of negotiations with Wiltshire Council to maximise the direct benefit to Swindon from any replacement s106 planning legal agreement package that Wiltshire Council negotiates in association with planning permission 08/00403/OUT allowed on Appeal Decision Ref: APP/J3910/A/08/2082566 on the land at Moredon Bridge.

PLANNING COMMITTEE

TUESDAY, 13 NOVEMBER 2012

PRESENT: - Councillors Steve Allsopp, Abdul Amin, Paul Baker, John Ballman, Toby Elliott, Brian Ford, Dale Heenan, Richard Hurley, Nick Martin, Teresa Page, Peter Watts and Keith Williams.

Apologies for absence were received from Councillors Colin Lovell and Nicky Sewell.

171. Declarations of Interest

There were no declarations of interest.

172. Minutes

Resolved – That the minutes of the meeting held on 9th October 2012, be confirmed and signed.

173. Public Question Time

There were no public questions.

174. 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;
- (f) The comments of Councillor Bennett in respect of application numbered S/12/1017
- (g) The comments of Councillor Bawden in respect of application numbered S/12/872
- (h) The comments of the following interested persons:

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/12/1017	Peter Lawson	Agent
S/12/1054	Jayne Page	Springlines Wanborough
	Mr Border	Springrise Wanborough
S/12/872	Mrs Rathbone	Church St Chiseldon
	Eric Shaw	Chiseldon PC

Resolved – (1) That the Head of Planning in consultation with the Chair of the Committee and Ward members be authorised to grant planning permission in respect of application numbered S/12/1017 subject to the conditions listed in the Officers report and any additional, omitted or amended conditions as may be necessary,

securing necessary off site highway works, securing funding for a TRO / school safety zone, satisfactory resolution of on and off site drainage matters details, securing any necessary succession planting of any diseased ash trees that are to be retained, securing affordable housing and the necessary contributions to mitigate the infrastructure demand to which the development gives rise and by the completion of a S106 planning obligation. If by 31st January 2013 the legal agreement has not been completed the Head of Planning may refuse the application.

(2) That the Head of Planning in consultation with the Chair of the Committee and Ward members be authorised to grant planning permission in respect of application numbered S/12/1054 subject to the conditions listed in the Officers report and subject to any additional, omitted or amended conditions as may be necessary, addressing privacy for adjacent / adjoining properties, subject to the satisfactory resolution of Arboricultural matters that may arise from consideration of the revised information, securing necessary off site highway works, securing funding for a TRO / school safety zone, satisfactory resolution of on and off site drainage matters details, securing any necessary succession planting of any diseased ash trees that are to be retained, securing affordable housing and the necessary contributions to mitigate the infrastructure demand to which the development gives rise and by the completion of a S106 planning obligation. If by 31st January 2013 the legal agreement has not been completed the Head of Planning may refuse the application.

(3) That the Head of Planning, in consultation with the Chair of the Committee and Ward Councillors be authorised to grant planning permission in respect of application numbered S/12/872 subject to the conditions listed in the Officers report and subject to any additional, omitted or amended Conditions as may be necessary, to include a requirement for landscaping and to agree facing materials and the completion of a planning obligation to secure the necessary contribution to the Wiltshire Fire and Rescue Service. If by 31st January 2013 the legal agreement has not been completed the Head of Planning may refuse the application.

(4) That the Head of Planning be authorised to grant permission in respect of application numbered S/12/1331 subject to the conditions listed in the Officers report and any additional, omitted or amended conditions as may be necessary and subject to the completion of a S106 planning obligation to secure the necessary contributions to mitigate the infrastructure demand to which the development gives rise. If by 31st December this has not been secured, the application may be refused.

PLANNING COMMITTEE

TUESDAY, 11 DECEMBER 2012

PRESENT: - Councillors Colin Lovell (Chair), Steve Allsopp, Abdul Amin, Paul Baker, John Ballman, Brian Ford, Dale Heenan, Nick Martin, Teresa Page, Nicky Sewell, Peter Watts and Keith Williams.

Apologies for absence were received from Councillors Richard Hurley.

175. Declarations of Interest

There were no declarations of interest.

176. Minutes

Resolved – That the minutes of the meeting held on 13th November 2012, be confirmed and signed.

177. Public Question Time

Councillor Steve Allsopp asked whether there were any lessons to be learned from the recent Ridgeway Farm appeal decision.

The Head of Planning responded at the meeting.

178. 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;

Resolved – (1) That permission to develop be granted in respect of application numbered S/12/1357 subject to the conditions listed in the Committee report.

(2) That, in respect of application numbered S/12/831, the Committee endorses amended condition 21 and authorises the Head of Planning to grant planning permission subject to the conditions set out in the Committee report dated 9th October 2012, and any additional, omitted or amended conditions as may be necessary.

(3) That the Committee again notes its concerns with regard to Parish Councils requesting applications be placed before the Committee for determination and not providing a reason for this action, or having a Parish Councillor attend the meeting to provide a reasonable explanation, accordingly, the Head of Planning be requested to raise this issue at the next Parish Council Forum.

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EDUCATION TRANSPORT APPEALS SUB-COMMITTEE

MONDAY, 3 DECEMBER 2012

PRESENT:- Councillors Andrew Bennett, Alan Bishop and Joe Tray.

32. Appointment of Chair

Resolved – That Councillor Alan Bishop Chair this meeting of the Sub-Committee.

(Councillor Bishop took the Chair.)

33. Declarations of Interest

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

34. 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 35 refers.)

35. 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 written submissions of parents in support of their appeals.

Resolved – (1) That, due to there being no exceptional circumstances, appeal number TA/12/494 and TA/12/429 be refused.

(2) That, due to the exceptional circumstances outlined in the appeal, number appeal number TA/12/319, TA/12/282, TA/12/453, TA/12/483 be upheld and reimbursement of costs be provided for the period to 24th July 2013.

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Section 4

Children Services Bodies Minutes

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STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

TUESDAY, 4 DECEMBER 2012

PRESENT:-

Group A: Christian Denominations and Other Religions or Religious Denominations	Mr Mark Cawte (Methodist) (Chair), Mr Arun Bedi (Sikh Community), Mr David Burbidge (Baptist Church), Mr Mark Cawte (Methodist (Chair)), Mrs Sarah Lane Cawte (United Reformed Church) and Mr Tony McAteer (Catholic Community)
Group B: Church of England	Miss Janet French, Reverend Norma McKemey and Mrs Penny Summers
Group C: Teacher Organisations	Mr Paul Sunners, and Mrs Victoria Misselbrook (tbc).
Group D: Councillors	Councillors Claire Ellis, Fay Howard and James Robbins
Also in attendance:	Katy Staples (SACRE Adviser) and Sarah Foulkes (School Improvement Adviser)

Apologies for absence were received from Ms Steph Munding, Reverend Beth Brown, Mrs Tracy Mason, Miss Lottie Rowe, Mrs Mandy Sandleton, Reverend David Howell, Mr M S Khan and Mr Dinesh Patel.

19. Tribute to Councillor Doreen Dart

The SACRE took time at the start of the meeting to remember Councillor Doreen Dart, who had served as the Chair of the SACRE for several years. The Vice-Chair repeated parts of the Civic memorial service held on 19th November 2012. Members of the SACRE paid tribute to her understanding, encouragement, determination, strength of character, sense of humour, authenticity and her commitment to public service. The SACRE then had a few moments of silence in remembrance.

20. Appointment of Chair and Vice-Chair

Resolved – (1) That Mr Mark Cawte (Group A) be appointed as the Chair of the Standing Advisory Council for the remainder of 2012/13 municipal year.

(2) That Ms Lottie Rowe (Group C) be appointed as be appointed as the Vice-Chair of the Standing Advisory Council for the remainder of 2012/13 municipal year.

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.

Mrs Sarah Lane-Cawte made a personal but non-pecuniary declaration of interest in respect of Agenda Item No. 8 'RE Council Review of Religious Education' as she was on the Board of the RE Council. Mr Mark Cawte indicated that this also gave him a personal interest in the matter. Councillor Robbins advised that he was a teacher at Churchfields School, but that he did not have a personal or pecuniary interest in any particular items on the agenda.

22. Public Question Time

No public questions were received during the meeting.

23. Minutes

Resolved – That the minutes of the meeting held on 25th September 2012, be confirmed and signed as a correct record.

24. Membership Update

The SACRE received a Membership Update report and noted that there were currently four vacancies on Group C (Teacher Associations). The SACRE were advised that in accordance with the SACRE Constitution, the Group should contain up to 8 representatives of teaching associations, which in the Council's opinion ought to be represented, with at least 3 being teachers of RE, and at least one a primary school teacher.

Three expressions of interest had been received. One from a RE Co-ordinator at Seven Fields Primary Ms Victoria Misselbrook to represent the NUT, and two secondary teachers, Mel Shepherd of Dorcan and Catherine Lomax at Churchfields to represent NASUWT. The SACRE did not feel able to support both of the representatives from NASUWT as full members as although there was a need for additional Secondary representation, the NASUWT was already represented. It was suggested that the one who had applied first be offered a full membership, and the other teacher the deputy position.

As part of the Membership Update, Mrs Penny Summers advised that she was currently a non-voting co-opted member of the Children and Young People's Overview Committee representing the SACRE, but had fulfilled this role for a while and would like to step down from the position. She asked if anyone else would be interested in the role. Mr Paul Sunners indicated that he would like to be nominated. It was noted that this was a discretionary co-opted role on the Overview Committee, and it would be up to the Committee if it wished to continue to have a representative from the SACRE and if it wished to accept the nomination.

Resolved - 1) The SACRE appointed the following to be members of Group C (Teacher Associations) for a period initially up to September 2015, unless renewed at that time:

- Victoria Misselbrook (Representative for NUT)
- Mel Shepherd (Representative for NASUWT)
- Catherine Lomax (Deputy Representative for NASUWT)

2) That it be recommended to the Children and Young People's Overview Committee that Mr Paul Sunners be appointed as a non-voting co-opted member to represent the Standing Advisory Council on Religious Education in place of Mrs

Penny Summers, and that Mrs Summers be thanked for her service to the Committee.

25. RE Council Review of Religious Education

The SACRE received a copy of the Preliminary Report from the RE Council for England and Wales (REC) on the review of the RE curriculum which had been issued for consultation. In addition to the main report, the SACRE noted an addendum which had been issued on matters raised during initial consultation meetings. The SACRE had appointed a Working Group at the last meeting to review the document in detail, and a copy of their recommended response to the consultation was considered.

The SACRE thanked the Working Group for their work on the response, and agreed that it supported the preliminary report as amended by the Addendum, subject to the suggestions of the working group. It was agreed that the response be approved, subject to the addition that the REC be asked to consider how to make the language and terminology used more accessible to non-specialists.

Mrs Sarah Lane Cawte and Mr Mark Cawte had declared a non-prejudicial personal interest in this item as she was a Board member for the REC, but was not employed by them. Sarah Lane-Cawte advised that the REC was not a funded body and that to support their work they were organising sponsored walks and RE Trails at different locations round the country. It was suggested that SACRE Members may be interested in contributing to the creation of a Swindon RE Trail, which could be linked into the Agreed Syllabus. If money was raised from a sponsored walk, then half the money could go to the REC, and half to a fund for RE projects in Swindon. The Clerk advised that the legal position of the SACRE fundraising for the REC would need to be checked. Sarah Lane-Cawte advised that she would be happy to lead on any project to establish the RE Trail, and Paul Sunners, Tony McAteer, Katy Staples and Mark Cawte indicated that they would wish to be involved.

Resolved - 1) That the SACRE Advisor submit the response attached at Report Appendix '2' to the REC as the SACRE's formal submission, subject to the addition that the REC be asked to consider how to make the language and terminology used more accessible to non-specialists.

2) That SACRE Members be invited to make any additional comments they may have direct to the REC.

3) That subject to the legal position on fund raising being checked and reported back to the SACRE, that Sarah Lane-Cawte lead a working group to set up a RE Trail in Swindon, which links to the Locally Agreed Syllabus.

26. SACRE Self-Evaluation and Draft Development Plan 2012-2014

The SACRE reviewed the summary of the self-evaluation exercise it had carried out at the last meeting, and considered the implications of this exercise for the draft Development Plan for the SACRE for 2012/14.

It was noted that some of the actions in the Development Plan had already started, but those beyond April 2013 would depend on the SACRE Budget being maintained

at its current levels. The School Improvement Adviser agreed to check on the budget and report back to the next meeting.

In relation to priority 1A), the SACRE Advisor tabled a summary of the results of a survey of Schools on the teaching of the Locally Agreed Syllabus. It was hoped that the survey data would help the SACRE to identify both needs and compliance, in supporting raising standards of teaching and learning in RE. Katy Staples agreed to summarise the survey results further into primary and secondary responses, in a form which could be used in the SACRE's annual report and as evidence to the Parliamentary Group on RE.

It was noted that a South West SACRE Conference was being held on 14th March 2013, which would include information on the RE Review, which was a key development in the coming year. Given the subject matter, it was agreed that a representative of the SACRE should attend, who could use any information gained to the benefit of Swindon Schools. The SACRE Advisor was also attending, but as a seminar leader.

Resolved - 1) That the outcome of the self-evaluation exercise undertaken at the last meeting be noted.

2) That the results of the survey of Schools on teaching of the Locally Agreed Syllabus are noted, and the SACRE Advisor analyses the results further to make a distinction between primary and secondary responses.

3) That the Development Plan for the SACRE for 2012/14 be approved, subject to confirmation being received at the next meeting of the budget available to the SACRE for 2013/14.

4) That the Chair, Vice-Chair or a Member of Group C be nominated as a representative of the SACRE to attend the South West SACRE Conference on 14th March 2012.

27. National Developments in RE

The SACRE Advisor provided an update the SACRE on National Developments in Religious Education since the last meeting, which included:

- a) A national discussion on the status of Circular 1/94, guidance which requires that collective worship in schools should be primarily Christian based. It was noted that the Circular was still in place, but it was unlikely to be enforced. However, this would have little practical effect for local schools, who should continue to follow the local Collective Worship Guidance issued by the SACRE at the last meeting.
- b) An invitation from the All Party Parliamentary Group (APPG) on RE, for individuals and organisations concerned with RE to make contributions to a major national project on RE. Two oral evidence sessions were being held in the House of Commons as part of the project, the next one was on 16th January 2013. It was noted that the SACRE Chair had written to the local MPs in September on their involvement in the APPG, and Robert Buckland MP had confirmed that he was a member.

Resolved - 1) That the update on national developments be noted.

28. Update on Network Meetings

The SACRE received an update on the meetings of the Primary Network and the Secondary Humanities Teaching and Learning Group for RE, which had taken place since the last meeting.

It was noted that Swindon teachers were being offered the opportunity to attend a conference for RE teachers in conjunction with by Bristol City and South Gloucestershire, organised by Bristol Diocese. This will be a good opportunity for our teachers to attend training that Swindon could not host on its own, and this was welcomed by the SACRE.

Resolved - 1) That the SACRE note the Report.

29. Date and Time of the Next Meeting

The next meeting of the SACRE was scheduled to take place on 19th March 2013. Victoria Misselbrook offered to host the meeting at Seven Fields Primary School.

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Section 5

Police and Fire Authorities Minutes

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**MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY
held at the WILTSHIRE FRS TRAINING & DEVELOPMENT CENTRE, DEVIZES
on THURSDAY 13 DECEMBER 2012**

Present : Cllr Brig. R Hall (Chairman), Cllr P Davis (from min. no. 60), Cllr C Devine, Cllr Mrs M Groom, Cllr H Marshall, Cllr N Martin, Cllr B Mattock, Cllr C Newbury (from min. no. 60), Cllr G Payne, Cllr G Perkins, Cllr R Wright , Cllr Mrs B Wayman.

57 Minutes of Last Meeting

The minutes of the meeting held on 27 September 2012 were confirmed and signed.

58 Apologies

Apologies for absence were received from Cllr J Osborn.

59 Members' Interests

The Chairman reminded members of the need to declare any interests which the Authority's Code of Conduct required to be disclosed, or dispensations granted by the Clerk to the Authority or the Ethics Committee.

60 Chairman's Announcements

The Chairman referred to the death of Mrs Doreen Dart, former Swindon Borough Councillor, and a member and Vice-Chairman of the Fire Authority from 2000 to 2006. With the former Chairman of the Authority, the Clerk and the Chief Fire Officer's PA, he had attended a memorial service on 17 November at Christ Church, Swindon at which tributes had been made by the Leader of the Borough Council and the Chief Executive of Swindon Football Club. The Chairman invited Members to stand for a moment of silence in remembrance.

The Chairman reported on the ill-health of Cllr Osborn and said he would write to send the Authority's best wishes for a swift recovery.

The Chairman referred to a number of meetings he had attended since the last meeting of the Authority, namely:

- Two Fire Commission Meetings
- A meeting of Combined Fire Authorities
- The Fire Service Management Committee

The Chairman reported on preparations for the Fire Peer Challenge in January.

Finally, the Chairman said that he and a number of other members had attended the Service's carol service on 11 December, an enjoyable occasion which had also included the presentation of new Colours.

61 Programme & Scrutiny Board

The report of the meeting of the Programme & Scrutiny Board held on 19 November 2012 was received. In response to a question from Cllr Mrs Wayman, it was agreed to ask the Board to review the current policy on animal rescue to include the costs/benefits of charging.

62 Revised Capital Programme 2012/13

On considering a paper by the Brigade Manager- Finance & ICT,

Resolved:

To approve the revised Capital Programme for 2012/13 of £3.240m and the revised prudential indicators as set out in Appendices A and B respectively of the paper presented.

63 Finance Review & Audit Committee

The Chairman of the Committee made a verbal report on the main items of business at the meeting of the Committee held on 11 December 2012. It was noted that the minutes of the meeting would be presented to the next meeting of the Authority.

64 Health & Safety Annual Statement

On considering a report by the Asst. Chief Fire Officer,

Resolved:

To note the report and to approve the annual Health & Safety Policy Statement.

67 Staffing Committee

The Minutes of the meeting of the Staffing Committee held on 27 September 2012 were received.

68 Protection, Prevention and Intervention

A short visual presentation was made.

69 Ethics Committee

(1) The minutes of the meeting of the Ethics Committee held on 12 November 2012 were received.

(2) Recommendations of the Committee regarding the Register of Members' Interests and an accompanying paper by the Monitoring Officer and the Clerk to the Authority were considered. A vote was taken on the recommendation to adopt Cllr Newbury's suggested pro forma for use by members when notifying the Monitoring Officer of interests for inclusion in the Authority's Register of Members' Interests with effect from the next annual appointment of members to the Authority in May 2013. The vote by show of hands resulted in a tie, whereupon the Chairman ruled that the Committee's recommendations be referred to a future meeting of the Authority for further consideration.

70 Exclusion of the Public

Resolved:

In accordance with Section 100A(4) of the Local Government Act 1972, to exclude the public from the business specified in minute no. 71 below because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3 and 4 of Part 1 of schedule 12A to the Act.

71 Future Organisation

The Chief Fire Officer gave a short verbal report on proposed plans for the future organisation of the Service. This included an update on consultations with the representative bodies.

(Duration of meeting 10.30 a.m. to 12.15 p.m.)

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WILTSHIRE POLICE AND CRIME PANEL

MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 5 DECEMBER 2012 AT ASSEMBLY ROOM - DEVIZES TOWN HALL, DEVIZES, SN10 1BN.

Present:

Cllr Junab Ali, Cllr Andrew Bennett, Cllr Richard Britton (Chairman), Cllr Chris Caswill, Cllr Brian Ford (Vice Chairman), Malcolm Grubb, Cllr Mike Hewitt, Cllr Keith Humphries, Cllr Peter Hutton, Amanda Newbery, Cllr Stephen Petty (Substitute), Cllr Pip Ridout and Cllr Bob Wright

Also Present:

Angus Macpherson – Wiltshire and Swindon Police and Crime Commissioner, Kieran Kilgallen, Chief Executive, Office of the Police and Crime Commissioner and John Quinton, Head of Democratic Services, Wiltshire Council

1 Apologies for Absence

The Chairman welcomed everyone to the first formal meeting of the Wiltshire Police and Crime Panel. At the Chairman's request everyone introduced themselves.

Apologies were received from Cllr Brian Dalton.

Cllr Dalton was substituted by Cllr Stephen Petty.

2 Public Participation

There were no questions or statements.

It was noted that the deadline for submitting questions was too soon after the agenda was published and that should this be changed to three days within the Terms of Reference. The Chairman confirmed he would deal with requests for questions that had been received after the deadline very sympathetically.

3 Minutes and matters arising

Decision

The minutes of the meeting held on 30 July 2012 were agreed as a correct record and signed by the Chairman.

4 Declarations of interest

There were no declarations of interest.

5 Chairman's Announcements

The Chairman announced there would be a press photo of the Panel with the Commissioner at 12.00 pm.

6 To welcome the new Police and Crime Commissioner

The new Commissioner, Angus Macpherson introduced himself and expressed his wish for a long and fruitful relationship with the Panel. He referred the Panel to his pre-election paper which would form the basis for his plan and confirmed that he saw his role as not just about policing but running through the whole justice system.

He detailed his initial focus, taking into account he was only three working days in the role, as being:-

- Recruitment of a Chief Constable
- Setting up a robust complaints process, to include the recruitment of an independent person
- Consultations, including key partners, discussing public consultation and the statutory requirement for consultation with victims
- Attending Area Boards and localities – how to achieve this

He explained that his website had been up and running almost immediately after his election thanks to the work of his office and on which his diary would be available to view, and he would also have a facebook page.

In response to questions he confirmed that at present there was no Association of Police and Crime Commissioners, however expressions of interest had been received from a number of bodies wishing to represent them. He would bring a paper back to the Panel summarising the proposal for the complaints process and he confirmed his commitment to the voluntary sector.

Draft PCC / PCP Protocol

The Commissioner raised his concern over the draft protocol going beyond the statutory understanding of the relationship and explained as it was a document

for the Office of the Police and Crime Commissioner he felt that officers should finalise the content.

A suggestion from Kieran Kilgallen, Chief Executive of the Office of the Police and Crime Commissioner proposed that the document be split into two sections, one for the legislation and the other for the qualitative process.

Decision

The Panel agreed that officers should redraft the protocol and that it should differentiate between the statutory processes and the relationship issues with the revised draft being available for the next Panel meeting.

Workplans

The Commissioner confirmed that his office was now in possession of key dates and asked that officers review these and re-circulate the forward workplan.

The Panel discussed whether there was a need to rotate venues throughout the area.

Decision

The Panel agreed:-

- **That officers review and align the workplans of the PCC and the PCP.**
- **To keep with the current schedule of venues as seen in the agenda and review at a later meeting.**

Any other business with the Commissioner

The Commissioner asked the Panel to consider holding the confirmatory hearing for the Chief Constable as soon as possible after notification of the proposed appointment to avoid candidates applying elsewhere

It was proposed that officers working on dates for the hearing to be within 5 days of the interview date

Decision

The Panel agreed for officers to schedule the confirmatory hearing within 5 days of the interview date.

7 Panel Arrangements and Rules of Procedure

John Quinton, Head of Democratic Services at Wiltshire Council introduced the item and explained that changes had been made to accommodate new regulations that had come into force and the confirmation of the fourth Swindon Borough Council member.

Clarity was sought on who appointed the Chairman in section 1 of the Rules of Procedure on and it was recommended the words “by the panel” be inserted in paragraphs 1.1 and 1.2.

It was recommended that paragraph 3.5 of the Panel Arrangements be amended to include the words “at least”.

Decision

The Panel approved the Panel Arrangements and Rules of Procedure subject to the amendments below:-

- **In the Panel Arrangements, paragraph 3.5 be amended to read:**

“The Panel shall also include at least two independent members co-opted by the Panel.”

- **In the Rules of Procedure, paragraph 1.1 be amended to read:**

“The chairman of the Police and Crime Panel will be appointed by the panel in June of each year or at the first meeting of the panel following the annual appointment of members to the panel by constituent councils. The chairman will be drawn from the councillors sitting on the panel.”

- **In the Rules of Procedure, paragraph 1.2 be amended to read:**

“The vice-chairman will be appointed by the panel in June of each year or at the first meeting of the panel following the annual appointment of members to the constituent councils and will be drawn from amongst the councillors sitting on the panel.”

8 Complaints Process

John Quinton, Head of Democratic Services at Wiltshire Council introduced the report and explained that only a particular category of complaints came to the panel. He referred to paragraph 4 which detailed the change in regulations which allowed the function to be delegated.

Concern was raised over retaining the overall responsibility and the need to have regular update reports was highlighted. It was suggested that the panel reserve the right to review it in light of experience.

Decision

The Panel agreed:-

- a. To delegate to the Monitoring Officer of Wiltshire Council the Panel's responsibilities for handling and recording complaints as laid out in the report.**
- b. To establish a Complaints Sub-Committee to informally resolve those complaints referred to it by the Monitoring Officer after consultation with the chairman and vice-chairman of the Panel.**
- c. To note that a detailed complaints process will be reported to the next meeting of the Panel for approval**
- d. To reserve the right to review recommendations a and b above in light of experience**

9 Forward Work Plan

It was noted that the draft Police and Crime Plan should be added to the January items.

The Panel noted the report.

10 Future meeting dates

The next meeting of the Police and Crime Panel will be on 4 January 2013 at the Wessex Room, Devizes Corn Exchange.

Future meeting dates are to be circulated as soon as possible after agreement.

The Chairman thanked everyone for attending.

(Duration of meeting: 10.00 am - 12.01 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948, e-mail kirsty.butcher@wiltshire.gov.uk

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