

Swindon Borough Council

Cabinet

Wednesday, 25 June 2014

Committee Room 6, Civic Offices
(Anticipated meeting room)

At 6.00 p.m. or at the Conclusion of the Cabinet Open Forum

Conservative Councillors

David Renard (Chair)
Brian Mattock (Vice-Chair)
Russell Holland
Fionuala Foley
Dale Heenan
Richard Hurley
Garry Perkins
Keith Williams
Brian Ford
Emma Faramarzi

Committee Officer: Ian Willcox (Telephone 01793 463601)
email: iwillcox@swindon.gov.uk

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street,
Swindon, SN1 2JH (Telephone 01793 445500)

Access Arrangements - The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you have any special requirements to enable you to attend the meeting or would like to receive any of the pages contained in this agenda in a larger print size, please contact the Committee Officer as soon as possible prior to the date of the meeting.

AGENDA

NOTE:

A Cabinet Open Forum is held at 6:00 p.m. prior to the start of each scheduled Cabinet Meeting. The Open Forum is similar to the 'public question time' that happens at most Council meetings but without the need for questions. It provides the chance to meet with Cabinet Members as well as Board Directors and Directors to discuss matters relevant to the Cabinet and its responsibilities. It provides an opportunity to raise issues and give views. The Forum will normally close at 6.30 pm and the Cabinet will then reconvene for the start of the formal Cabinet meeting. If the Open Forum completes its business earlier than anticipated then the Cabinet Meeting will commence at

6:15pm or at the Forum's conclusion.

1. Apologies for Absence.

2. Declarations of Interest.

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

3. Minutes. (Pages 1 - 8)

To receive the minutes of the meeting held on 23rd April 2014.

4. Public Question Time.

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

5. Exempt Items - Exclusion of Press and Public.

Certain items are expected to include the consideration of exempt information and the Cabinet is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

<u>Item No.</u>	<u>Paragraph No.</u>
14	3

6. Options Appraisal - Leisure Commissioning. HCS (CM: KW / GP) (Pages 9 - 36)

7. Budget Management 2013/14 - Out-turn. BDR (CM: RH) (Pages 37 - 56)

8. Ofsted and Care Quality Commission Inspection of Services for Children. BDC (CM: FF) (Pages 57 - 62)

The appendices for this report are contained in the "Additional Papers" Pack circulated with the Agenda.

9. Superfast Broadband Extension Programme. BDR (CM: GP) (Pages 63 - 70)

10. Swindon Sports Strategy 2013-2017. HLLTC (CM: KW) (Pages 71 - 78) The appendices for this report are contained in the "Additional Papers" Pack circulated with the Agenda.

11. Future Direction of Swindon Capita Partnership. BDR (CM: RH / KW) (Pages 79 - 106)

12. Sale of John Street Multi-Storey Car Park. HE&S (CM: GP / DH) CE (Pages 107 - 112)

13. References from Other Council Bodies (Economic, Environmental and Sustainability Overview and Scrutiny Committee / Town Twinning Network). DLDS (CM: DH/ DR) (Pages 113 - 120)

Related Reports - Appendix 3 - to this report are contained in the "Additional Papers" Pack circulated with the Agenda.

14. Progressing the Economic Strategy - Corn Exchange, Old Town, Swindon
HE&S (CM: GP) OT (Pages 121 - 134)

Date of Despatch: 17 June 2014

Key:

Officers:

CE	-	Chief Executive
BDC	-	Board Director Commissioning (DCS/ DASS)
BDSD	-	Board Director Service Delivery
BDR	-	Board Director Resources (Section 151 Officer)
DPH	-	Director of Public Health
DLDS	-	Director of Law and Democratic Services (Monitoring Officer)
HCS	-	Head of Commercial Services
HLLTC	-	Head of Leisure, Libraries, Traded Services and Culture
HE&S	-	Head of Economy and Skills

Wards

CE	-	Central
OT	-	Old Town

Cabinet Members Responsible for the Service Area concerned:

DR	-	David Renard	Leader of the Council and Chair of Cabinet
BM	-	Brian Mattock	Deputy Leader of the Council, Vice-Chair of Cabinet, Cabinet Member for Health and Adult Social Care
EF	-	Emma Faramarzi	Cabinet Member for Housing and Public Safety
FF	-	Fionuala Foley	Cabinet Member for Children's Services
BF	-	Brian Ford	Cabinet Member for Streetsmart
DH	-	Dale Heenan	Cabinet Member for Strategic Planning, Sustainability and Transport
RH	-	Russell Holland	Cabinet Member for Finance
RHu	-	Richard Hurley	Cabinet Member for Communities and Volunteering
GP	-	Garry Perkins	Cabinet Member for the Economy, Regeneration and Skills
KW	-	Keith Williams	Cabinet Member for Corporate and Leisure Services

Public Question Time - Public Question Time - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Director of Law and Democratic Services, we

will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website (<http://www5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sched=doc&cat=13338&path=0>) or from the Committee Officer named above.

CABINET

WEDNESDAY, 23 APRIL 2014

PRESENT:- Councillors David Renard (Chair), Brian Mattock (Vice-Chair), Russell Holland, Mike Bawden, Fionuala Foley, Claire Ellis, Dale Heenan, Richard Hurley and Keith Williams.

An apology for absence was received from Councillor Garry Perkins.

Councillor Des Moffatt attended the meeting in respect of Minutes 111 and 113.

107. Councillor Mike Bawden

The Chair advised that Councillor Mike Bawden, Cabinet Member for Strategic Projects and Transformation, would not be seeking re-election at the forthcoming local government election on 22nd May 2014 and would be standing down from the Council after forty years of dedicated service to Swindon and its residents, including time spent as Leader of the Council and Mayor of the Borough.

The Chair and Cabinet Members expressed their appreciation to Councillor Bawden for his commitment and service to Swindon. The Chair noted that this was also the last Cabinet meeting of the Municipal Year and expressed his appreciation to Cabinet colleagues and the officer team for their support and commitment over the Municipal Year.

Resolved – That the Cabinet express its appreciation for the hard work and commitment shown by Councillor Mike Bawden, Cabinet Member for Strategic Projects and Transformation, over the years in which he has served Swindon as a Councillor and it offer him its very best wishes for the future.

108. 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 Brian Mattock made a personal declaration of interest in respect of Agenda Item 9 (Public Health Services with the Great Western Hospital) as he was an Appointed Governor to the Great Western Hospital NHS Foundation Trust.

109. Minutes

Resolved – That the minutes of the meeting held on 19th March 2014, be confirmed and signed as a correct record.

110. Public Question Time

Questioner

Mr Martin Wicks, Swindon Tenants Campaign Group

Questions

Mr Wicks advised that he wished to ask eight questions relating to Agenda Item 7 on the proposed Affordable Housing Programme Bid 2015 -18. As a number

of these questions were likely to require information that might not be available to the Cabinet Member at the meeting, he was prepared to submit these in writing this evening and to receive a written response to these questions.

Response

The Chair thanked Mr Wicks for his questions and comments and advised that a written response would be provided to his questions.

Questioner

Mr Tim French, Cassan Road, Swindon

Question

Mr French asked a question regarding the progress made with the reinstatement of the damaged hoarding surrounding the former Salvation Army site fronting Corporation Street, Swindon.

Response

The Chair thanked Mr French for his question and responded at the meeting to the question and comments.

111.

Budget Management 2013/14

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report setting out (a) the current forecast outturn position of the Council's Revenue Budget as at the end of February 2014, (b) issues impacting on the Council's finances, including the complexity of closing the Council's accounts for 2013/14 resulting from the reintegration of Swindon Commercial Services (SCS) into the Council, and the new Clinical Commissioning Group arrangements with Public Health, (c) a proposed update to the Council's Capital Programme relating to the provision of a sports pitch to serve a new primary school to be built on the St Joseph's School site, and (d) the current forecast position for the Housing Revenue Account and the Dedicated Schools Grant.

Councillor Russell Holland, Cabinet Member for Finance, introduced the report and referred to the Council's strengthened financial position as it entered the new Financial Year resulting from the underspend achieved which would provide some additional capacity within the new year's budget and would help to fund the Council's on-going transformation.

Councillor Des Moffatt, Opposition Labour Group Spokesperson for Resources, expressed his personal best wishes to Councillor Mike Bawden on his retirement from the Council. He drew attention to the content of the report and asked for clarity regarding issues raised regarding the Oasis and North Star sites.

The Chief Executive responded at the meeting and advised that he would provide Councillor Moffatt and the Group Leaders with an update following a forthcoming meeting with the parties concerned.

Councillor Moffatt referred to his previous suggestion regarding the appointment of a Housing Services' Accountant.

Councillor Holland clarified that affordability had not been a reason in

determining the appropriateness of the appointment of a service based accountant.

Councillor Keith Williams, Cabinet Member for Highways, Strategic Transport and Leisure, referred to the report and the consultation taking place regarding the future of leisure facilities. He commented on the Council's commitment to identify a solution that was in the best interests of all Swindon's residents and emphasised that sites, such as those at Croft and Dorcan, would be protected as the Council would retain the freehold interest of the sites in any agreements that might be reached.

Resolved – (1) That the Cabinet notes that a small underspend is being projected on the 2013/14 Budget, with few changes to the position previously reported to the Cabinet, as set out in Appendices 1 and 2 to the joint report.

(2) That it be noted that the changes in the 2013/14 Financial Year to the arrangements for both Swindon Commercial Services Ltd. (SCS) and the new Clinical Commissioning Group, as detailed in the joint report, are considered significant and introduce risks of greater movements through the closedown process than would normally be expected.

(3) That an increase of up to £70,000 to the Capital budget for the Town Centre Primary School (St. Joseph's), as detailed in section 6 of the joint report, be approved.

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

112. One Swindon Public Service Transformation in Partnership

The Leader of the Council, the Board Director Commissioning and the Head of Strategy and Research submitted a joint report concerning the progress made towards the implementation of public service transformation in Swindon, and detailing (a) the One Swindon Public Service Transformation Strategy that had been agreed with One Swindon partners, (b) the establishment of the One Swindon Transformation Hub, (c) the increasing role and governance arrangements associated with the One Swindon Partnership Board, and (d) a suite of cross-organisational transformational business cases that aimed to contribute to achieving the objectives of the Joint Statement of Intent agreed with One Swindon partners and Government. (Minute 55(6), 2013/14 refers.)

The Chair referred to the One Swindon Public Service Transformation Strategy agreed with One Swindon partners and the role of the proposed new Transformation Hub in delivering that Strategy. He commented on the detail of the business cases that had been endorsed by the One Swindon Partnership Board. He explained that three projects were currently in progress and nine further projects would be running by October 2014. This was more than was being undertaken by other local authority partnerships and the Swindon approach had been well received by Government. He commented on the projects underway, particularly, the Five Wards Project and its work to reduce offending. He noted the Board's increasing role in overseeing public service transformation in Swindon and the need to ensure that its governance arrangements reflected that role.

Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, referred to the implications of service transformation for responding to the increasing demands placed on services and resources. The Chair commented that

whilst the positive progress made since October 2013 represented an important milestone, there was still much to do to achieve the strategy.

The Chair advised that he had been contacted by Councillor Stan Pajak, Leader of the Liberal Democrat Minority Group, who had expressed his support for the public service transformation report and its recommendations.

Resolved – (1) That the progress made in delivering the public service transformation Joint Statement of Intent, be noted.

(2) That the One Swindon Public Service Transformation Strategy as set out in Appendix 1 to the joint report be endorsed.

(3) That the One Swindon Public Service Transformation Business Cases as detailed in Appendix 2 to the joint report be approved.

(4) That the Head of Strategy and Research and the One Swindon Programme Manager be authorised to work with One Swindon partners to implement the One Swindon Public Sector Transformation business cases.

(5) That the Corporate Governance Review Working Group be requested to undertake a review of the Governance arrangements of the One Swindon Partnership Board to ensure that these are fit for purpose for the delivery of public service transformation in Swindon and provide the necessary democratic accountability.

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

113. Affordable Housing Programme 2015-18

The Cabinet Member for Public Protection, Housing and Streetsmart (Delivery) and the Board Director, Service Delivery submitted a joint report concerning the Council's emerging Housing Strategy and an opportunity that had arisen to submit a bid to the Government for Affordable Housing Grant to develop affordable housing in Swindon.

Councillor Richard Hurley, Cabinet Member for Public Protection, Housing and Streetsmart (Delivery), commented on the emerging Housing Strategy and on the Government's recent announcement on the availability of funding for affordable housing development. Funding was available over a three-year period starting in 2015/16 and the deadline for bids to be submitted was 30th April 2014. He highlighted that an error had occurred in Appendix 1 to the report (Page 43) and that the reference to "4 Bed House" should be deleted. He highlighted the achievements over twenty years in the provision of social housing by both the Council and its Housing Association partners.

Councillor Brian Mattock expressed support for the report and its recommendations and to the importance for the Council of seeking Government funding to be invested in creating more affordable housing for Swindon residents.

Councillor Mike Bawden, Cabinet Member for Strategic Projects and Transformation, supported the recommendations and commented that although the criteria might not be ideal for the Council, it was important to attract Government funding and wider investment into the Borough.

The Chair drew attention to the Council's record in promoting affordable

housing and in regenerating social housing areas. He particularly welcomed the element of the bid relating to the possible regeneration of Sussex Square.

Councillor Des Moffatt, Opposition Labour Group Spokesperson for Resources, expressed his belief that the current Cabinet had a poor record in creating Council housing for those most in need and that the proposals within the report would not deliver significant benefits for those most in need of social housing or for tax payers generally.

The Chair reiterated the Council's achievements in promoting affordable housing.

Councillor Russell Holland, Cabinet Member for Finance, referred to Councillor Moffatt's comments and to the opportunity that would be lost to provide housing for those in housing need if the Council was to follow an ideological approach and not bid for Government funding at this time.

Resolved –That the contents of the joint report be noted and the Head of Housing be authorised to proceed with a bid to the Homes and Communities Agency for Affordable Housing Grant funding as referred to in the joint report and as set out in Option 2 detailed in Appendix 1, to the joint report.

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

114. Swindon's Energy Future - Part 2

The Cabinet Member for Strategic Planning and Sustainability and the Head of Commissioning, Economy and Attainment submitted a joint report concerning progress made in respect of initiatives approved by the Cabinet in October 2013 (Minute 56, 2013/14 refers), including (a) the possible development of Council owned land at Common Farm, Wroughton and Chapel Farm Landfill Site, Blunsdon as sites for solar development, (b) the possible development of "Solar" Noise Barriers on the A419 and M4, (c) the making of a "Low Carbon" Local Development Order, (d) proposed District Heating projects, and (e) Social Enterprise for Community Investment.

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, referred to the Council's commitment to Swindon's energy future and to the creation of a low carbon economy. He commented on the progress made in respect of the initiatives highlighted in the report and their implications for the future of Swindon. He stressed that no funding, apart from for preparatory and feasibility work, was being proposed at this time and that scheme details would be presented to future meetings. It was hoped that schemes could be developed on a commercial basis or through the use of Social Enterprises. He advised that the criteria to be used in the proposed Local Development Order was being considered by a cross-party group of Councillors and would be presented to the Council for adoption in the autumn. He commented that whilst many local authorities were talking about renewable energy, Swindon was taking action to progress and implement such initiatives.

Councillor Mike Bawden, Cabinet Member for Strategic Projects and Transformation, expressed his support for the report and its recommendations but

asked that the Council's eventual joint venture partner in the Wichelstowe development be involved in the discussions around future initiatives in the development area, such as the M4 Solar Barrier.

Resolved – (1) That Common Farm, Wroughton and Chapel Farm Landfill Site, Blunsdon be endorsed as suitable sites for solar development, as referred to in paragraph 3.3 of the joint report.

(2) That the Head of Property Assets be authorised to negotiate the necessary arrangements to enable Swindon Commercial Services (SCS) Ltd. to progress the solar farm developments on Council land and the Director of Law and Democratic Services, in consultation with the Cabinet Member for Strategic Planning and Sustainability and the Head of Property Assets, be authorised to conclude any necessary documentation to implement such arrangements on such terms as he considers best to protect the Council's interests.

(3) That the Board Director, Service Delivery, be authorised to request Swindon Commercial Services (SCS) Ltd. to progress the relevant technical work, planning applications, following community engagement, and grid connection applications for the Common Farm and Chapel Farm sites on the Council's behalf.

(4) That the on-going development by the Board Director Resources, in consultation with the Cabinet Member for Finance, of a flexible business model which facilitates investment in such solar farms by Swindon Borough Council, local communities and the private sector, be approved, with any such investment by the Council to be approved at a future meeting of the Cabinet.

(5) That the positive findings of the Solar Noise Barrier Working Group, be noted, and the principle of developing solar noise barriers on the A419 and the M4 be approved and -

(a) The Head of Commissioning, Economy and Attainment be authorised to commission Swindon Commercial Services (SCS) Ltd to agree terms with the relevant landowners for them to participate in the scheme, and undertake a detailed feasibility study, engaging specialist advice and external agencies as necessary;

(b) Following receipt of the feasibility study, the Head of Commissioning, Economy and Attainment report back to a future meeting of the Cabinet as early as possible in the next municipal year to enable the Cabinet to decide whether the Council should proceed to development stage for either or both schemes;

(c) The M4 solar noise barrier project be progressed as a supported workstream within the Wichelstowe development programme, linking in with the feasibility work led by Swindon Commercial Services (SCS) Ltd. as appropriate.

(6) That the Chief Executive be requested to formally ask the Highways Agency to support the principle of the A419/M4 projects and to work with the Council and Swindon Commercial Services (SCS) Ltd. to progress the proposals.

(7) That Standing Orders be waived to allow the appointment of Swindon Commercial Services Ltd by the Council as developer for the solar schemes detailed in this joint report.

(8) That a one-off budget of £30,000 be approved funded from the Growth Feasibility Earmarked Reserve, to undertake the necessary technical work to enable the Head of Planning to progress a low carbon Local Development Order (LDO) during 2014/15.

(9) That a one-off budget of up to £20,000 be approved funded from the Growth Feasibility Earmarked Reserve, as match funding to support a bid to the Department of Energy and Climate Change to secure £40,000 (67%) grant funding to enable the Council to undertake detailed heat network feasibility studies of North Star (Oasis) and the New Eastern Villages.

(10) That, as requested by the Council at its meeting on 3rd April 2014, a

report be presented to the Cabinet, as soon as practicable, on the setting up of a Swindon Energy Social Enterprise.

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

115. Public Health Services with the Great Western Hospital

The Cabinet Member for Health and Adult Social Care and the Acting Director of Public Health submitted a joint report concerning a proposal to enter into a contract with the Great Western Hospital NHS Foundation Trust for the provision of the specialist medical services (Dental Public Health and Integrated Sexual Health Services) for a period of one year for the period from 1st April 2014 to 31st March 2015 with an option to extend this for a further twelve months subject to contract performance and budget availability.

Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, introduced the report and referred to the reasons for proposing to procure the required services from the Hospital Trust. He explained the services that would be provided under the contract and that these had previously been commissioned by the former Swindon Primary Care Trust before the integration of Public Health into the Council.

Resolved – (1) That the Acting Director of Public Health be authorised to award a one year contract with an option to extend for a further twelve months (one year + one year) to the Great Western Hospital NHS Foundation Trust to provide the specialist Public Health Services referred to in the joint report for the period 1st April 2014 to 31st March 2015.

(2) That the Director of Law and Democratic Services be authorised to enter into the contract referred to in (1) above and into any ancillary documentation on such terms as he considers necessary in order to protect the Council's interests.

(3) That it be noted that these are specialist medical services and the Great Western Hospital NHS Foundation Trust is the sole supplier, therefore the contract referred to in (1) above, will be subject to single tender under the exemption procedure permitted under Paragraph 3.6 of the Council's Standing Orders Relating to Contracts.

(Councillor Brian Mattock made a personal declaration of interest in respect of the above item as he was an Appointed Governor to the Great Western Hospital NHS Foundation Trust.)

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

116. References from Other Council Bodies

The Cabinet Member for Children's Services and the Director of Law and Democratic Services submitted a joint report concerning recommendations arising from the Children' and Young People's Overview and Scrutiny Committee held on 5th March 2014 and the Swindon Children's Trust Board held on 13th March 2014.

Councillor Fionuala Foley, Cabinet Member for Children's Services, referred to the findings of the Troubled Families Programme Scrutiny Task Group and the

subsequent recommendations of the Children and Young People's Overview and Scrutiny Committee. She noted the recommendations arising from the Task Group and agreed to pursue these with officers. She expressed her appreciation to the Chair of the Overview and Scrutiny Committee, Councillor Maureen Penny and to Councillor Mick Bray for their work over the last Municipal Year through the Committee and its task groups, and also thanked the members of the Troubled Families Programme Task Group for its hard work.

Councillor Foley referred to the decision of the Swindon Children's Trust Board, and explained that the Cabinet had considered the School Admission Arrangements and Co-ordination Scheme and the Education Transport Policy for 2015 at its last meeting on 19th March 2014. The views of the Trust Board had been reported verbally at that meeting.

Resolved – (1) That, further to Minute 37(1) of the Children and Young People's Overview and Scrutiny Committee, the Cabinet Member for Children's Services be requested to consider the report of the Troubled Families Programme Task Group and its recommendations, and to submit her response to the Overview Committee by no later than its September 2014 meeting.

(2) That the decision set out in Minute 35 of the Swindon Children's Trust Board, concerning the School Admission Arrangements and Co-ordination Scheme and the Education Transport Policy for 2015, be noted.

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

Options Appraisal - Leisure Commissioning

Council date: 17th July 2014

Cabinet Date: 25th June 2014

Author:	Cabinet Member for Corporate Services and Leisure Board Director, Service Delivery
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To seek authority to implement the next stage of the Leisure and Culture Commissioning change programme in respect of the Council's leisure and golf facilities, that ensures the most viable option for continued delivery of a sustainable provision within the Borough.
- 1.2 The report is being considered by both Council and Cabinet as it will set the context of the future budget and policy framework of the Council.
- 1.3 This report outlines the results of additional consultation and engagement and seeks consent to transfer the Council's leisure and golf facilities to third party operators on the basis that addresses, as far as possible, the comments and views received during the consultations.
- 1.4 The future sustainability of the leisure and golf portfolio is closely aligned to the One Swindon Priority, "Everyone is enjoying sport, leisure and cultural opportunities". The proposals are particularly designed to deliver against the following One Swindon and Corporate Objectives:
 - 1.4.1 "Improve health and wellbeing for all by increasing and widening participation in sports, leisure and culture."
 - 1.4.2 "More young people are supported to take part in sports, leisure and culture."
 - 1.4.3 "We can all benefit from a growing economy."
 - 1.4.4 "I like where I live."
 - 1.4.5 "Make best use of Swindon's resources inside and outside the Council."

Further information on the subject of this report can be obtained from Sue Mendham, tel 07824 550343, email smendham@swindon.gov.uk.

Options Appraisal - Leisure Commissioning

Council date: 17th July 2014

Cabinet Date: 25th June 2014

2. Recommendations

Council and Cabinet are recommended to:

- 2.1 Note the results of the consultation set out in detail in Appendix 2 and 3, and the changes that have been made to the proposed commercial approach.

Council is recommended to:

- 2.2 Approve the proposal from Cabinet to grant to external operators a lease of specified leisure and golf facilities to enable them to take over those undertakings.

Subject to approval of the proposal by Council, Cabinet is recommended to:

- 2.3 Authorise the Board Director, Service Delivery, in consultation with the Cabinet Member for Corporate Services and Leisure, Director of Law and Democratic Services and the Board Director, Resources to proceed with the next steps to appoint preferred bidders to take over the operation of the Council's leisure and golf facilities, as listed within this report, in accordance with the approach to the revised key commercial terms.
- 2.4 Approve the recommendation of preferred bidder as Greenwich Leisure Limited (GLL) for the leisure facilities.
- 2.5 Approve the recommendation of preferred bidder as Twigmarket Limited for the golf facilities.
- 2.6 Approve the removal of Moredon Golf Course from the portfolio recommended for transfer and authorise the Board Director, Service Delivery to explore options for alternate recreational uses for the site for the reasons set out in paragraph 3.19.
- 2.7 Authorise the Director of Law and Democratic Services in consultation with the Board Director, Service Delivery, Cabinet Member for Corporate Services and Leisure and the Board Director, Resources to complete all necessary documentation to transfer the operation of the leisure and golf facilities on the proposed leases, on such terms he considers appropriate to protect the Council's interests.
- 2.8 Authorise the Head of People and Change to plan and undertake a TUPE consultation exercise with all relevant staff, recognising that under the proposals staff engaged on those undertakings will transfer to the new operator.
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Further information on the subject of this report can be obtained from Sue Mendham, tel 07824 550343, email smendham@swindon.gov.uk.

Options Appraisal - Leisure Commissioning

Council date: 17th July 2014

Cabinet Date: 25th June 2014

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- 2.9 Note that £3.15m of one-off resources has been earmarked on the Council's Balance Sheet to fund the reverse premium and transition arrangements as set out in paragraphs 5.4 to 5.6 and to cover the costs of any necessary financial, legal or technical advice required to support the conclusion of the negotiations and completion of the relevant contractual documentation.
- 2.10 Authorise officers to open discussions with the Highworth Town Council, the Recreation Trust and the leisure preferred bidder regarding the potential transfer of the Highworth Recreation Centre at a later date, due to the current joint ownership arrangements and legal status of the Trust, noting that in the event a transfer cannot be agreed financial support (including all associated Council central overheads) from the Council to the Centre will cease from 31st March 2016.

3. Detail

Background

- 3.1 On 24th July 2013, Cabinet authorised the Board Director, Service Delivery to invite expressions of interest from commercial and not-for-profit organisations to take over the operation of certain of the Council's leisure and golf facilities on long leases (Cabinet Minute 34, 2013/14 refers). The objective was to secure sustainable future provision and to relieve the Council of the on-going liability for funding the annual revenue subsidy of the facilities and the backlog maintenance and investment required.
- 3.2 The facilities that were offered to the market are set out in the table below.

Leisure facilities	Golf facilities
Croft Sports Centre Delta Tennis Centre Dorcan Recreation Complex Haydon Centre Health Hydro Link Centre Highworth Recreation Centre – option to include at a later date	Highworth Golf Moredon Golf Broome Manor Golf

Further information on the subject of this report can be obtained from Sue Mendham, tel 07824 550343, email smendham@swindon.gov.uk.

Options Appraisal - Leisure Commissioning

Council date: 17th July 2014

Cabinet Date: 25th June 2014

Consultation

- 3.3 In September 2013, the Council held a further round of soft market testing with interested bidders to test the proposed commercial approach agreed by Cabinet in July 2013 and to ensure that the marketing approach would be sufficient to stimulate the best response from the market.
- 3.4 In respect of service users, including sports and leisure clubs, and residents, there has been a range of consultation, engagement and communication activity as set out below.
- 3.4.1 Since March 2013, a regular Council newsletter has been provided setting out the Council's progress to date with the programme overall. Over 200 stakeholders (individuals and groups) are alerted to the publication of each newsletter, including several resident associations, and parish councils. The newsletters have included notifications of both consultations referred to below. In addition, all Ward Members are also notified of all newsletters.
- 3.4.2 A dedicated Council website for the Leisure and Culture change programme 'Leisure and Culture Options' was established in June 2013, and includes copies of all press releases, newsletters, Cabinet reports and Frequently Asked Questions (FAQ's).
- 3.4.3 A Borough-wide consultation process was conducted between the dates of 8th January to 3rd March 2014. Appendix 1 sets out the process that was followed together with details of how the consultation was publicised. Service users and residents were invited to complete a questionnaire which was in two parts; the first part was designed to capture demographic data about how the Council's customers use the facilities so that this could be considered in the Council's decision making and selection of a preferred bidder(s). The second part was to ascertain service user and resident views on the proposed transfer arrangements, both positive and negative.
- 3.4.4 A specific consultation in respect of the playing pitches and land at Dorcan and Croft Leisure Centres was undertaken to obtain all necessary consents required from the Secretary of State (Education) to enable any transfer of the playing fields and land contained within the proposed leases to a third party operator. Where required, an analysis of the responses received during the consultation will be included as part of the Council's application for consent to the proposal. Appendix 1 also sets out the

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process that was followed together with details of how the consultation was publicised.

- 3.4.5 The Council's proposals have attracted significant service user, resident and media interest, so it is reasonable to assume that a wide range of views have been submitted to the Council. In addition the Council accepted some late submissions where requested to do so.

Response and Outcome of Consultation

- 3.5 The detailed outcome of the two key consultations was evaluated and documented by an independent company and the full findings are set out in Appendix 2 and 3 of this report. The following paragraphs set out the headline findings.
- 3.6 817 responses were received to the Borough-wide consultation, with 83% of those participating being residents and 80% being service users. The over-riding concern raised in this specific consultation was increased admission charges. This concern was raised by 71% respondents with the next largest concern, regarding reductions in service, a much lower figure at 16%.
- 3.7 Following a review of the results of the above consultation, it was agreed to remove Marlborough Lane from the proposed transfer arrangements for the Croft leisure facilities. Local Ward Members and the public were notified accordingly.
- 3.8 In respect of the consultation regarding the playing pitches and land at Dorcan and Croft Leisure Centres, 4 responses were received about Dorcan and 445 about Croft. Of the 445 Croft responses, almost 300 used a standard response that had been drafted and promoted by a local group and a further 72 submitted a modified version of the standard response.
- 3.9 In addition, a 1,653 signature petition was received stating that "We, the undersigned, note the consultation ending on 15 April and are concerned, about the future of Croft playing fields. We call upon Swindon Council to take the car park, Marlborough Lane and playing fields out of the lease to a third party operator, so as to keep it in public ownership for future generations."
- 3.10 Inevitably there have been significant levels of concern raised about the Council's proposals, however, for the reasons set out in paragraph 3.16 below, the Council designed the commercial approach to encourage the best offers from the market, which have now been secured.

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Marketing process and commercial approach

- 3.11 Following Cabinet approval in July 2013, the Council commissioned the leisure director of external national property advisers, GVA, to prepare documentation for marketing all of the Council's leisure centres and golf courses. At the same time external legal advisers, Browne Jacobson, appointed to support the project, provided the Council with access to an electronic 'data room'. A significant volume of technical, financial and legal information in relation to each property was downloaded by the Council, to enable prospective bidders to review the data on a confidential basis and determine whether they would like to submit a bid to take a leasehold interest in the facilities and take over their operation.
- 3.12 As set out in the previous report, bidders could submit proposals for the transfer of all the leisure facilities or the golf courses or a combined bid for the entire estate. The marketing opened at the end of October 2013 and bidders had until 7th February 2014 to submit a bid. 16 potential bidders applied and 15 were given access to the Council's data room having demonstrated they are a legitimate business and having signed a confidentiality agreement.
- 3.13 The bid evaluation criteria used to assess the submissions were as follows:
- 3.13.1 Pass/Fail test - to assess a bidder's financial standing before they were formally evaluated, to ensure that the Council only evaluated bidders of a sound financial standing
- 3.13.2 Financial income proposals – 60% based on
- Ability to deliver real savings - eliminate the subsidy, no further Council investment required (after £2m of the previously agreed £3m of one-off Council investment referred to as a 'reverse premium')
 - Proposals for a rent return to the Council
- 3.13.3 5-year business plan proposals 10%
- 3.13.4 Socio economic benefits – 30% - broken down as follows:
- Social Value (track record; company ethos; keeping residents fit and healthy; community relationships)
 - Service continuity
 - Strategic vision

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- 3.14 Bidders were informed that the information provided in response to paragraph 3.13 would be relied upon by the Council in making its decision and that the successful bidder(s) would as part of the contractual agreements entered into, be required to warrant and represent that the matters set out in their response to these sections remained true and accurate in all material respects.
- 3.15 Bids were received from a range of operators including developers and both commercial and not-for-profit organisations. The bids were assessed and clarified against the evaluation criteria and officers were supported by representatives from GVA and Browne Jacobson to provide independent and specialist professional views on the bids. In applying the evaluation criteria, officers were also mindful of the views emerging from the consultations and engagement with service users and residents.
- 3.16 The Council had approached the market with some key commercial terms as set out in the previous report. These terms were designed to stimulate the widest level of market interest in the facilities and attract bids that would meet the Council's objectives and secure investment. It was always envisaged that the Council would seek to improve upon these terms during the bid process.
- 3.17 Following negotiations with bidders, the Council received significantly improved offers compared to that taken to market, as set out in the table A and B below.

Table A – Leisure Facilities

Initial offer to the market	Post negotiation revised offer from the market
99 year Lease	25 year lease
3 year keep open clause (included to ensure that the Council attracted bidders that were prepared to operate and take time to understand and develop a sustainable future for the facilities and sites)	5 to 10* year keep open clauses with bidder option of a) hand back to the Council at the end of the keep open period if the relevant facility is not commercially viable b) ability to sub-lease, with Council agreement, to a third party after 5 or 10 years *The 5 year keep open clauses specifically apply to the Health Hydro and Dorcan Recreation Complex.

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Marlborough Lane included in the transfer site plan	Marlborough Lane removed from the transfer site plan
999 lease option	Option removed

Table B – Golf Facilities

Initial offer to the market	Post negotiation revised offer from the market
99 year Lease	25 year lease Highworth Golf** 75 year lease Broome Manor Golf**
3 year keep open clause (included to ensure that the Council attracted bidders that were prepared to operate and take time to understand and develop a sustainable future for the facilities and sites)	15 year keep open clause - Highworth 25 year keep open clause - Broome Manor
999 lease option	Option removed

** NB: There is a precedent across England that golf leases are traditionally longer, with examples found of up to 125 years. The difference in the proposed length of lease is due to anticipated relative investment levels (paragraph 3.30 refers).

3.18 The permitted use under any proposed leases will be for leisure purposes only. There is no proposed change of use for any of the sites and therefore the consultations held this year were not about change of use. Any proposals for a change of use that may arise in the future would have to be agreed by the Council. The Council could propose a change of use itself now, so this is no different. Any material change of use will trigger a separate consultation. The recommendations in this report do not change the current position in respect of the Croft playing fields.

3.19 It is recommended that Moredon Golf course be withdrawn from the market offer at this stage, as the bid process has shown that there is no commercial advantage in transferring the facility. Unfortunately, the golf course is not economically viable and during the bid clarification process bidders have

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confirmed they do not require the inclusion of this facility. On this basis it is further recommended that if the other facilities are transferred to the preferred bidders, the Council seeks other recreational uses for the site. The site will remain a green, open space.

- 3.20 In respect of the Highworth Recreation Centre it is recommended to open discussions with the Highworth Town Council, the Recreation Trust and the leisure preferred bidder about the potential transfer of the Centre to the preferred bidder at a later date, due to the current joint ownership arrangements and legal status of the Trust. This will enable service users to continue to enjoy the use of Leisure cards across all the leisure centres and protect the future of the Centre for the medium term.
- 3.21 In the event that the Centre does not transfer, Cabinet is recommended to require that the facility operates with a nil subsidy (including all associated Council central overheads) in line with other leisure facilities by 31st March 2016. In the event that this is not achieved, Cabinet is recommended to advise that financial support from the Council to the Centre will cease from that date.

Preferred bidders

- 3.22 In total the Council received 3 bids for the leisure centres and golf courses as a single package and 3 bids for the golf alone. A period of detailed evaluation and bid clarification took place between February and May to assess each bid and ensure that the Council understood the opportunities, potential risks and exposure associated with each.

Leisure

- 3.23 Following the extensive and thorough evaluation process, the recommendation for the preferred bidder is to appoint Greenwich Leisure Limited (GLL), a not-for-profit company who are currently managing the operation of the Oasis Leisure Centre, to operate the Council's leisure facilities. The GLL bid achieved the highest evaluation score and satisfies the Council's key outcomes for the marketing exercise:
- Elimination of the Council revenue subsidy
 - Transfer of backlog maintenance liability (after £2m reverse premium)
 - A company whose ethos and approach will support residents to be fit and healthy

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- Medium to long term sustainability for the facilities
 - Securing additional investment into the estate (£3m secured)
- 3.24 As the UK's largest charitable social enterprise leisure provider (not-for-profit organisation), GLL will be investing any profit back into its operations. GLL is owned by its staff and Society members, who have a non-dividend-paying share in GLL. They have won numerous awards and accreditations including the Social Enterprise Mark, Quest and IIP and operate some 140 facilities. Also, given that GLL are already managing the Oasis, this provides the opportunity to offer Leisure cards across the whole leisure offer, bringing an additional benefit back to residents.
- 3.25 GLL has already indicated some areas where they will be seeking to make changes in the facilities and open discussions with some service users. The following points are already known and accepted.
- 3.25.1 In respect of the Link Centre, the business plan assumes retention of the library in the building with its relocation to the first floor. This could then offer potential for extended opening hours by enabling customers to make use of self-service facilities. In the vacated library space GLL will install new leisure equipment. The detailed plans are still to be developed for these proposals.
- 3.25.2 In respect of the Dorcan Leisure Centre, GLL has recognised the dependency Dorcan Academy has on the Centre and noting the minimum 5 year 'keep open' clause, GLL intends to open early discussions with the school around the future options for the facility.
- 3.25.3 GLL have been advised that the lease terms for the Haydon Wick Leisure Centre must provide for the continued 'rights of way' access to the Bowls Club and the siting of the recycling facilities in the car park.

Golf

- 3.26 In respect of the golf facilities there are options for consideration for the preferred bidder, as the Council has a choice over whether to
- grant leases of the leisure and golf facilities to a single operator or
 - grant leases of the leisure facilities to one operator and of the golf courses to a specialist golf course operator.

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- 3.27 Following the extensive and thorough evaluation process, the recommendation for the preferred bidder is to appoint Twigmarket Limited to operate Broome Manor and Highworth golf courses.
- 3.28 Twigmarket Limited has been involved in operating Public Golf Courses and Driving Ranges since 1990 and is a family run business. They currently operate the Trent Park Golf Course in North London and are committed to municipal style 'pay and play' local authority golf courses with an aim to deliver the best quality golf courses at a price that is affordable for all.
- 3.29 The Twigmarket offer includes a strong team including a Head of Green keeping operations who was the first greenkeeper to attain Master Greenkeepers Certificate from the British and International Golf Greenkeepers Association and an Operations Director who has many years' experience in operating golf courses.
- 3.30 For the Broome Manor Golf Course to remain sustainable in the long term, Twigmarket Limited have set out plans for significant investment for the site which requires a longer lease and this detail will be developed further should Members agree this recommendation. This approach has enabled Twigmarket Limited to offer an incremental rent for the two sites, with provision for a further future increase in rent linked to turnover performance.
- 3.31 The Twigmarket bid achieved the highest evaluation score for golf and satisfies the Council's key outcomes for the marketing exercise:
- Elimination of the Council revenue subsidy
 - Transfer of backlog maintenance liability
 - Commitment to support the national agenda of improving fitness and well-being
 - Medium to long term sustainability for the facilities
 - Securing additional investment into the facilities
- 3.32 Should the Cabinet recommend the appointment of GLL as preferred bidder for leisure and Twigmarket as preferred bidder for golf, the following timetable sets out the next steps and approximate timescales.
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Activity	Timescale 2014
Cabinet decision to appoint preferred bidders	25 June
Full Council debate to endorse transfer	17 July
Preferred bidder negotiations complete	30 September
Leases and business transfer agreement signed (subject to required consents from Secretary of State (Education) in relation to the playing pitches and land at both Croft and Dorcan Leisure Centres)	31 October
Facilities and staff transfer	1 November

4. Alternative Options

- 4.1 The 2014/15 budget approved by Cabinet and full Council in February of this year, already assumes £980k part year revenue savings by the transfer of the leisure and golf portfolio to a third party operator(s). Cabinet could decide not to continue with its strategy to seek a third party to take a leasehold interest in relation to its leisure and golf facilities. In this instance Cabinet would have to seek other ways to deliver the £980k part year revenue savings to meet the 2014/15 budget and beyond. This could include facility closures in the short to medium term, if savings could not be found elsewhere. In addition there are on-going unbudgeted operational costs of service which will place further pressure on the budget. These were £212k in 2013/14.
- 4.2 Cabinet could decide not to transfer all of the facilities at this time. However, if the Council were to split the estate by deciding to continue to operate part of the estate itself i.e. the golf, the Council would be unable to meet its target revenue savings and would retain the on-going liability for the retained element of the estate.
- 4.3 Instead of transferring the facilities on a lease arrangement, Cabinet could consider inviting bids to operate a Management Contract as set out in the previous report to Cabinet in July 2013. For the reasons set out in the previous report, this is unlikely to result in the same level of savings and the on-going liability and future investment for the buildings will remain with the Council. Since the last report, several other local authorities have contacted the Council to

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understand the Council's approach to asset transfer, as they can no longer afford to retain their facilities, some of them already having a Management Contract in place.

5. Financial Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There is very significant pressure on the Council's resources and a current expectation that additional savings of around £48m will need to be achieved in the next three years, with £18m in 2015/16. The financial performance for leisure and golf is set out in Appendix 4. In 2013/14 the Council subsidised (the differential between expenditure and income) the leisure and golf services to the value of £1.412m. The financial outturn for 2013/14 has shown a slight improvement in the subsidy on previous years, however, as Appendix 4 demonstrates, whilst the trend for the reduction in the subsidy is on a downward trajectory, it has only reduced marginally over the last 3 years and therefore further significant reductions by the Council itself are unlikely to be achieved in the medium term.
- 5.2 The 2014-15 Budget already assumes a saving of £980k per annum in anticipation of the transfer of these assets and services during the 2014-15 Financial Year. When the Budget was agreed, it was set with a proposed transfer date of July 2014 in mind. The latest timetable suggests that the transfers will take place in the autumn resulting in a short-term cashflowing pressure in-year of around £250k. As part of the on-going strategy to deliver future year's Budget savings early, it is expected that this will be managed within the Council's overall cash limit from offsetting savings within other service areas.
- 5.3 The backlog maintenance figure quoted in the last report was closer to £6m and recent investments by the Council, most notably at the Link Centre, has reduced this figure to c£4.1m. However, the backlog maintenance figures quoted rely on the condition surveys undertaken in 2011. Further condition surveys will be required to assess the current backlog maintenance figure, and it is anticipated that the figure of £4.1m will rise again to keep the facilities both operational and closer to the standard increasingly being sought by services users.
- 5.4 In the last report, Cabinet gave approval, in principle, to make available up to £3m of one-off resources to enable provision of the continued delivery of sustainable leisure provision in the Borough at a significantly reduced cost. This sum has been set aside in a Council specific reserve as part of the process to close the 2013/14 accounts.
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- 5.5 Following the marketing exercise, it is now anticipated that £2m of this will be made available to the leisure preferred bidder for investment in the leisure facilities on a 'reverse premium' basis. The investment areas required will be agreed by the Council in advance and the funding only passed to the leisure preferred bidder upon submission of evidence that the works have been completed at an appropriate cost.
- 5.6 The remaining £1m will be used to fully fund the pension fund across both golf and leisure, for the transferring staff at the point of transfer, and any other business integration costs agreed during the preferred bidder(s) final negotiations that the Board Director, Resources feels necessary to allow the full release of budgeted savings.
- 5.7 The preferred bidders have confirmed that no subsidy will be required from the Council following transfer of the facilities and that they will accept all future backlog maintenance liabilities once the £2m set out above has been exhausted. This will save the Council up to £1.2m from the leisure, golf and related direct overhead budgets in a full operational year and avoid unbudgeted additional operational cost pressures which have been incurred. These were £212k in 2013/14. In addition, there will be efficiencies as the Corporate Capital Repairs and Maintenance (R&M) budget will be available to address identified backlog maintenance issues across other areas of the Council's property portfolio that may not otherwise be possible. The current backlog, excluding schools, leisure and golf properties, is estimated at £11m.
- 5.8 Additional one-off funding of up to £150k will be used to cover the costs of any necessary financial, legal or technical advice required to support the conclusion of the negotiations and completion of the relevant contract documentation. Again, this sum has been earmarked within a Council specific reserve.
- 5.9 Carbon reduction opportunity - The Carbon Reduction Commitment (CRC) is a tax for certain organisations based on how much electricity is consumed through half hourly meters. Within Council operations, these are located at sites such as the Civic Campus, Link Centre, STEAM, car parks and various schools. If an organisation consumes more than 6 million kWh it must participate in the scheme. Therefore, under the current rules, if some of these big consumption sites were no longer part of the Council's portfolio for CRC purposes (which would require the building to not be the Council's responsibility and for the Council not to buy the electricity), it is likely that the Council would no longer qualify for the CRC resulting in cost avoidance of approximately £400k per year from 2019-20. In order for the Council to fall outside of the scheme energy

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consumption must be below 6 million kWh during the next qualifying year which is 2017-18.

- 5.10 Impact on central support costs - Over and above the costs directly attributable to Leisure and Culture, the Council's back-office infrastructure costs will also be affected by this transfer. Most of the central support functions employ staff working across the Council's full range of services and therefore it is unlikely that many staff would transfer with the facilities. A significant proportion of the costs are held within the Capita contract where the annual service charge is linked to volumes of work. Elsewhere on the agenda is a report recommending the reintegration of some services from Capita back into the Council. With a noticeable reduction in the number of financial, Payroll and HR transactions, further savings will be achieved within back-office services as a result of the asset and service transfers through this reintegration work.

Legal and Human Rights Implications

- 5.11 Legal and Human Rights implications have been taken into account in the drafting of this report. It is considered that the report and its recommendations are compatible with Convention rights, and are in accordance with Section 19 of the Local Government (Miscellaneous Provisions) Act 1976.
- 5.12 The market exercise undertaken was to secure an asset transfer of the facilities on leases to a third party operator(s). This approach is considered to be a land transaction and therefore EU procurement rules do not apply.
- 5.13 Section 123 of the Local Government Act 1972 requires Local Authorities to achieve best consideration when they dispose of assets. This requirement is qualified by Government Circular 06/03. As set out in the main body of the report the Council appointed the leisure director of GVA, a firm of national property advisers to undertake a full marketing campaign for the leisure and golf sites. The sites were offered as either a single combined lot, or as 2 lots for the leisure sites and golf sites separately, to attract the maximum interest from potential operators. Having undertaken a full marketing exercise the Council considers that it has complied with its obligation to achieve best consideration for the proposed transfer of the sites by recommending the best financial proposal from the compliant bids that it received, which is achieved through a combination of 2 separate offers for the leisure and golf sites respectively. The recommended two offers also achieved the two highest scores against the Council's socio economic criteria.

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- 5.14 The Council has a duty under section 3 (2) of the Local Government Act 1999 to consult a wide range of local persons, including local voluntary and community organisations and businesses, prior to deciding how the Council will fulfil its “Best Value” duty. The Council considers that it has communicated, engaged and consulted widely on its proposals for the transfer of the leisure and golf facilities including a wide range of service users and residents.
- 5.15 The Council also has a statutory duty under section 77 of the Schools Standards and Framework Act 1998 (as amended) and Schedule 1 to the Academies Act 2010 to seek consent from the Secretary of State (Education) for “the disposal” (in this case meaning the granting of a 25 year lease) of the playing fields and land at the Croft and Dorcan Leisure Centres.

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

- 5.16 Should Cabinet agree the recommendations in this report for the transfer of the leisure and golf facilities, all permanent staff currently working within, or directly associated with the operation of, the leisure and golf facilities referred to in this report (excluding the Highworth Recreation Centre at this stage) will transfer to the new organisations under TUPE (the Transfer of Undertakings (Protection of Employment) Regulations 2006. TUPE applies where there is a transfer of an undertaking, business or part of an undertaking or business from one body to another.
- 5.17 The evaluation process assessed bid submissions for their transition process, in the event of selection as preferred bidder by the Council. The Council was seeking evidence of a robust approach to ensure that both the arrangements for transferring staff and the customer experience would be managed effectively, to minimise disruption and ensure a smooth handover in the context of a land transaction.
- 5.18 Some respondents to the consultation felt that a transfer of the facilities to a third party would be an advantage, securing the future of both the facilities and staff. Other respondents raised concerns about the future for staff. GLL’s primary business focus is that of leisure services with over 130 facilities under their operation, they seek to provide ‘a happy and motivated workforce with opportunities for training and career progression’. Twigmarket are a family run business who are passionate about golf and have a flexible and paternal approach to staff welfare, with a track record of retaining staff over a long period. It is currently envisaged that staff would transfer to the chosen operator(s) on 1st November 2014.

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- 5.19 The trade union have been notified about the contents of this Report.
- 5.20 During the preferred bidder stage due consideration will be given to the shape of the retained Commissioning function for Leisure Services. There are some statutory functions e.g. providing a view on planning applications in respect of playing pitch provision, allocation of space for leisure activities within any development plans, which cannot be transferred to a third party. There are also some non facility based activities commissioned by Public Health and other bodies that are currently delivered by the Council e.g. the Walking for Health programme, Tri-Active project, Adult Weight Management courses, Street Games etc, which may not be appropriate to transfer to a third party operator. In addition there may be a need to retain a small team to support bids for external funding from sport national governing bodies and other bodies such as Sport England which require Council input or endorsement, to ensure that the Borough continues to secure its fair share of external funding. In assessing the potential for savings delivery, a contingency to support a small retained function is recognised.
- 5.21 The proposals contained within this report align with the Council's 'Strategy for Major Sports Facilities Provision 2009 to 2026'.

Diversity Impact Assessment (DIA)

- 5.22 A DIA was drafted in 2013 to ensure that the recommendations in the previous report were reasonable and considered all the relevant implications for service users. The DIA has been reviewed and updated in light of the responses to the consultations and the marketing exercise.
- 5.23 GLL is the UK's largest charitable social enterprise in its field, delivering leisure, health and community services. Underpinning GLL's social enterprise model is a mission to increase sport and leisure participation, particularly amongst under-represented groups in the communities they serve – people who by reason of age, infirmity, disability or social and economic circumstances face barriers to inclusion. In so doing, GLL aim to improve the health, social welfare and educational prospects of all members of our communities. GLL have offered a comparable Leisure card scheme including a concessionary pricing structure, discounts for students and disability membership. Twigmarket are committed to municipal style 'pay and play' local authority golf courses with an aim to deliver the best quality golf courses at a price that is affordable for all and are passionate about enabling health lifestyles.

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Risk Management

- 5.24 A programme risk register is in place and some of the key risks identified are set out below.
- 5.25 Risk of price increases – in the Council's experience of the transfer of the Oasis Leisure Centre to a third party in 2012, customer prices have largely remained the same and some prices have reduced. It is not in the operator's interest to implement any substantial price increases and risk becoming uncompetitive with the remaining market in the Borough.
- 5.26 Consultation results – some respondents to the consultations held strong views that some elements or even all the facilities should not be transferred out of the Council's ownership. The total number of respondents, compared to the Borough adult population as a whole, is very small and therefore on balance it can be assumed that most residents and or service users would seek to secure a sustainable future for the facilities in the medium to long term, with no strong preference as to who operates them.
- 5.27 Risk of closure – if Cabinet chose not to accept the recommendations in this report then the future of the entire estate may not be sustainable.
- 5.28 Risk to minority groups of users – during the preferred bidder process the Council will be seeking to understand which areas may be at risk, if any, and will consider how the parties may help mitigate the impact of any areas at risk. Again with the Oasis transfer, the Council and the operator worked together to find an alternate venue for the indoor bowls club.
- 5.29 Secretary of State (Education) consent – the transfer of the playing fields and land at Dorcan and Croft Leisure Centres require a level of consent as set out above. Any delay in obtaining this consent may delay the transfer of the facilities, but it is hoped that the Secretary of State (Education) will work with the Council to enable a timely consent to be granted.
- 5.30 Risk to service continuity – Both bidders have clearly demonstrated that they have successfully managed service transfers with other Local Authorities and have offered to work together to provide a comparable Leisure Card offer. The Council would, subject to award, work closely with both bidders to ensure that service disruption was minimised for both users and staff.

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6. Consultees

- 6.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.
- 6.2 As indicated in this report, wide consultation has been carried out to seek the views of residents and those interested in sport.

7. Background Papers

- 7.1 Cabinet reports – 20 March 2013 and 24 July 2013

8. Appendices

- 8.1 Appendix 1 – Consultation process
- 8.2 Appendix 2 – Results of the Borough wide consultation (available in the Members Room and published on the Council's website alongside this report).
- 8.3 Appendix 3 – Results of the Consultation in respect of Dorcan and Croft Leisure Centres playing pitches (available in the Members Room and published on the Council's website alongside this report).
- 8.4 Appendix 4 - Leisure and Golf portfolio – Financial position 2013/14 outturn

9. Key Decision/Decision in Forward Plan

- 9.1 This is not a Key Decision for the Executive as it is being considered by Council but is included in the Cabinet Work Programme and Forward Plan for June 2014.

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Consultation process

1. Borough wide consultation process

1.1 Leisure and Golf facilities users and residents were invited to submit their views about the Council's proposals for the future operation of the facilities. The consultation ran from 8th January to 3rd March 2014. A questionnaire was made available both online and in paper form to allow views to be submitted.

1.2 Publication and communication process

- a) The consultation details and questionnaire was added to the Leisure in Swindon website as this is the site most leisure users use. The consultation went live on 8th January 2014.
- b) Posters were put up in each of the leisure and golf sites, including Highworth Recreation Centre, and hard copies of the questionnaires were also placed in all the leisure and golf facilities for those people who did not have access to a computer to respond on line. The Council's Leisure Services team also launched an E-campaign with customers on their database encouraging them to take part in the consultation.
- c) A press release publicising the initial leisure consultation was sent out on 15th January 2014 – this went to all the local media.
- d) The press release was added to the main SBC website and the Council's Leisure and Culture Options website on the 15th January and subsequently promoted in the January issue of the stakeholder newsletter.
- e) In terms of media coverage for the consultation, the Council's press release was picked up by a variety of media including:
- f) Flic Wiltshire - <http://www.flicwiltshire.com/news/general/have-your-view-on-leisure-services-iin-swindon.aspx> - 17th January
- g) Total Swindon - <http://www.totalswindon.com/lifestyle/views-needed-on-the-future-of-leisure-services-in-swindon/> - 16th January
- h) Swindon Advertiser – <http://www.swindonadvertiser.co.uk/news/10943783.print/> - 17th January
- i) Link Magazine - <http://www.swindonlink.com/news/whats-to-happen-to-swindon-leisure--golf-facilities> - 15th January

2. Consultation in respect of playing pitches and land at Dorcan and Croft Leisure Centres

2.1 A specific consultation in respect of the playing pitches and land at Dorcan and Croft Leisure Centres was undertaken to enable the Council to prepare to obtain all necessary consents required from the Secretary of State (Education) to enable any transfer of the playing fields contained within the proposed leases to third party operators. The consultation commenced on 3rd March and closed on 15th April 2014 and a copy of the public notice is included below.

2.2 Consultation public notice

SWINDON BOROUGH COUNCIL SECTION 77 OF THE SCHOOLS STANDARDS AND FRAMEWORK ACT 1998 (AS AMENDED) and SCHEDULE 1 TO THE ACADEMIES ACT 2010

Disposal or change of use of playing fields and land used by schools.

NOTICE OF CONSULTATION OF DISPOSAL OF PLAYING FIELDS AND LAND USED BY SCHOOLS

Proposal: Disposal of playing fields and land used by schools for recreation under a long lease for use as recreational facilities for schools and the public.

Application Sites: **Dorcan Sports Centre**, St Paul's Drive, Dorcan, Swindon, SN3 5DA and **Croft Sports Centre**, Marlborough Lane, Swindon SN3 1RA.

The plans of the areas (shown edged red) under consultation for disposal can be viewed at www.swindon.gov.uk/dorcanandcroftconsultation or at the offices of Swindon Borough Council, Civic Reception, Euclid Street Swindon, SN1 2JH.

Anyone who wishes to make comments regarding either or both of these disposals should do so by e-mail to LandCChangeprogramme@swindon.gov.uk or in writing to Leisure Project/ SP Law and Democratic Services, Civic Offices, Euclid Street, Swindon, SN1 2JH to be received no later than **15 April 2014**.

An analysis of comments received will be forwarded to the Secretary of State as part of Swindon Borough Council's application for consent to the proposal.

Stephen Taylor

Director of Law and Democratic Services

Swindon Borough Council

Civic Offices,

Euclid Street,

Swindon SN1 2JH

2.3 Publication and communication process

The Council was keen to receive specific feedback from users of the Dorcan and Croft Leisure centres, including schools, and details of the public notice, letters and plans were displayed at each centre and in other local community centres.

a) The public notice went in the Swindon Advertiser on 3 March 2014 –

- b) A press release was sent out to all the media in Swindon (including the Handy Mag) on 7 March.
- c) The press release was also added to the main SBC website and our Leisure and Culture stakeholder website. It was also mentioned in the stakeholder newsletter that went out on 19th March.
- d) A page specifically for the consultation was created on the SBC webpage: <http://www.swindon.gov.uk/dorcanandcroftconsultation>
- e) The Swindon Advertiser ran a story on the consultation on Tuesday, 11 March –
- f) http://www.swindonadvertiser.co.uk/news/11066399.Have_a_say_on_leisure_leases/
- g) The Council's press release on the consultation was published on the Flic Wiltshire website –
- h) <http://www.flicwiltshire.com/News/General/Public-asked-to-give-their-views-on-additional-leisure-consultation.aspx>
- i) Heart FM also covered the story on 9th March –
<http://www.heart.co.uk/wiltshire/news/local/leisure-facilities-leased-out/>
- j) Copies of the consultation documents and public notice were also provided to Central, Covingham and Old Town Libraries as well as Lawn Community Centre on the 28th February for display.
- k) Around 80 groups including clubs, local resident groups and relevant schools were notified directly at the start of this specific consultation. The Council has discussed its proposals in detail with Sport England and kept the Swindon Sports Forum updated on the plans and consultation process.
- l) In addition to the above, the following schools were written to prior to the consultation commencing: The Commonweal School, Croft Primary School, Dorcan Academy, Covingham Park Primary School and Eldene Primary School. Prior to the consultation beginning, meetings were also held with the head teachers of The Commonweal School and Dorcan Academy as well as the head teacher of Croft Primary School and a director of the White Horse Federation. In addition these schools were contacted again as part of the consultation as set out above.

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Leisure and Golf portfolio – Financial position 2013/14 outturn

The following tables set out the expenditure, income and differential (Council subsidy (cost) or surplus) for the financial year ending 31/3/14, for the leisure facilities, golf courses and combined facilities.

Leisure centres	Full Year Actual Expenditure 13 14	Full Year Actual Income 13 14	Full Year Net (Cost) / Surplus 13/14
Site name			
Croft	(238,860)	217,845	(21,015)
Delta	(209,602)	244,935	35,333
Dorcan	(352,207)	451,334	99,127
Haydon Wick	(302,245)	314,938	12,693
Health Hydro	(552,558)	506,110	(46,448)
Link	(2,619,883)	2,464,192	(155,691)
Total	(4,275,355)	4,199,354	(76,001)

Overheads

Marketing, Administration & Performance	(377,927)	0	(377,927)
Management, training and health & safety	(91,283)	12,624	(78,659)
Repairs, Maintenance & Equipment - non capital	(656,953)	0	(656,953)
Flex Booking system costs	(65,200)	0	(65,200)
Insurance	(29,700)	0	(29,700)
	(1,221,063)	12,624	(1,208,439)

Total excluding Highworth Recreational Centre	(5,496,418)	4,211,978	(1,284,440)
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Highworth Rec	(493,572)	473,597	(19,975)
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Total including Highworth Recreational Centre	(5,989,990)	4,685,575	(1,304,415)
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Golf Courses	Full Year Actual Expenditure 13 14	Full Year Actual Income 13 14	Net (Cost) / Surplus 13/14
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Broome Manor Golf	(706,426)	766,616	60,190
Broome Manor Catering	(322,631)	252,473	(70,158)
Highworth Golf	(162,040)	128,305	(33,735)
Moredon Golf	(38,055)	23,559	(14,496)
	(1,229,152)	1,170,953	(58,199)

Overheads

Marketing	(22,000)	0	(22,000)
Repairs & Maintenance - non capital	(25,000)	0	(25,000)
Insurance	(2,300)		(2,300)
	(49,300)	0	(49,300)

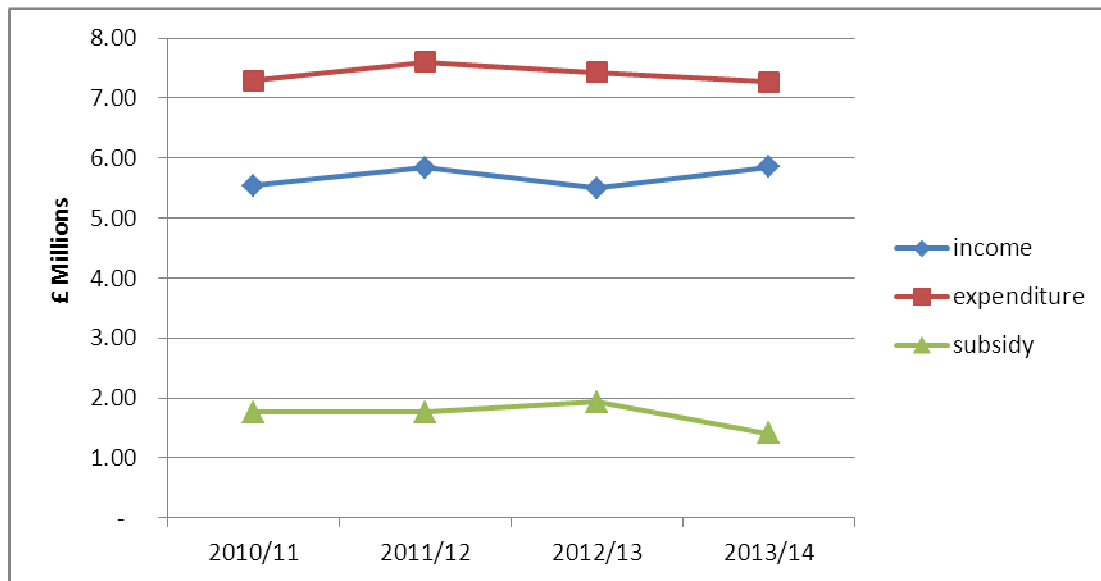
Total Golf

(1,278,452)	1,170,953	(107,499)
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Leisure and Golf combined	Full Year Actual Expenditure 13 14	Full Year Actual Income 13 14	Net (Cost) / Surplus 13/14
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Leisure total including Highworth Recreational Centre	(5,989,990)	4,685,575	(1,304,415)
Golf total	(1,278,452)	1,170,953	(107,499)
Total Leisure and Golf	(7,268,442)	5,856,528	(1,411,914)

The table below sets out the financial performance trend over the last four financial years, for the combined Leisure and Golf facilities.



Notes

1. Analysis only covers operational data for sites included within this report i.e. Oasis Centre trading data excluded from earlier years to allow comparison
2. For 2010/11 and 2011/12 certain income streams at Highworth Recreational Centre were not liable to output VAT and as a result some of the income and expenditure figures are higher than the comparable amounts in later years. This was due to the split management responsibility for the site. For 2012/13 and 2013/14 all VAT has been treated the same across all sites

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Date: 25th June 2014

Authors:	Cabinet Member for Finance and Board Director Resources
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1. This report presents the 2013-14 Revenue Budget out-turn based on actual expenditure incurred during the Financial Year-ending 31st March 2014.
- 1.2. The effective management of financial resources through robust financial management processes support the Council's ability to achieve its plans and priorities.
- 1.3. Responsible budget management underpins the Council's Strategic Objective of consistently making the best use of all available resources as well as providing focus for its Change Programmes.

2. Recommendations

For 2013-14, Cabinet is recommended to:

- 2.1. Note that the 2013-14 Out-turn was delivered within Budget for the eighth year running;
- 2.2. Note that the out-turn for each service area set out in Table One and Appendix One assumes that the proposed reserve movements reflected in the balances set out in Appendix Three are agreed;
- 2.3. Approve the level of specific Council reserves held as at 31st March 2014 as set out in Appendix Three, noting the key changes recommended by the Board Director, Resources set out in Table Two;
- 2.4. Note the out-turn position for the Housing Revenue Account and Dedicated Schools Grant.

For 2014-15, Cabinet is recommended to:

- 2.5. Agree to continue the practice of implementing Budget savings as early as possible to generate in-year capacity to fund any up-front costs associated with delivering on-going Budget savings, noting that this may well result in the current year Budget being underspent;
- 2.6. Endorse the carry forward of £313,878 of the unspent Emergency Assistance Fund into 2014-15 to allow the Council to use all of this earmarked funding to support vulnerable people as was intended by the Government.

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- 2.7. Approve that £125k of new Care Bill Implementation Grant is added to the 2014-15 Budget for Adult Social Care;

In respect of the Council's Capital Programme, Cabinet is recommended to:-

- 2.8. Note that Swindon has received a capital allocation of £360,965 for community and voluntary controlled schools to fund the implementation of Universal Infant Free School meals and approve that this funding is incorporated into the Council's Capital Programme and fully allocated across schools during 2014-15;
- 2.9. Approve the additional capital budget for Plas Pencelli enhancement works of £167,000 to be funded from Plas Pencelli reserves of £77k and borrowing of £90,000, to be repaid from the additional revenue generated over a 10 year period;
- 2.10. Approve a budget of £149k to progress work at Eastern Villages through the CH2M Hill (formerly Halcrow) contract, under the terms of their appointment as the Council's Term Consultant for engineering and highways services including land drainage.
- 2.11. Approve a transfer of £50k of grant funding within the capital programme schemes for Adult Social Care, to fund additional costs associated with the works to Sanford House, and that the capital scheme to move Shopmobility should be incorporated within the Sanford House project in order that they can be managed most effectively together.

3. Detail

2013-14 General Fund Out-turn

- 3.1. The final out-turn position for the financial year ending 31st March 2014 was a break-even position against Budget. In line with the approval given by Cabinet at its meeting on 19th March 2014 and other recommended reserve movements by the Board Director Resources, a net underspend on services and the early delivery of 2014-15 savings has been transferred to a number of specific reserves to mitigate known financial risks and fund future one-off costs. Members are asked to endorse this approach by approving the Reserves statement set out in Appendix Three.
- 3.2. In overall terms, the financial position improved by £0.3m between the February 2014 projection and the year-end position and this has facilitated the proposed carry forward of the previously projected underspend in the Emergency Assistance Fund as recommended in paragraph 2.6 above and described in section 5 below. The main reasons for the improvement were an £86k reduction in the projected overspend on the Children and Families budget and additional income across Service Delivery.

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Table One – Out-turn By Department

Department	Budget 2013/14 £'000	Full-Year Out-turn £'000	Variance £'000	Projected Variance in last report	Movement since last report £'000
Chief Executive	1,560	1,523	(37)	(30)	(7)
Resources	447	(290)	(737)	(1,047)	310
Corporate	(10,570)	(9,013)	1,557	1,327	230
Commissioning	92,739	92,739	0	1	(1)
Service Delivery	63,864	63,081	(783)	(505)	(278)
Total General Fund	148,040	148,040	0	(254)	254

- 3.3. The outturn position above includes the increase in or creation of some new specific Reserves as set out in Appendix Three. For ease of understanding, the new reserves that have not been previously approved by Cabinet are set out in Table Two below.

Table Two – New Reserves Not Previously Reported

Department	£'000
Swindon Emergency Assistance Fund (section 5)	314
One-off Property income earmarked to fund additional Property staffing resources to provide additional capacity in support of the Council's Transformation agenda	107
Children and Families - 2014-15 additional staffing fund (principle agreed by Cabinet in March 2014)	307
Public Health Reserve – underspend on ring-fenced Public Health grant	157
Recycling Vehicle Refurbishment Fund (original expectation that work would be started in 2013-14 and contained within previously approved funding levels)	400
Provision for losses in respect of Swindon Commercial Services Limited (based on 2013-14 pre-audit loss)	826

- 3.4. Cabinet has previously endorsed a strategy of implementing future year Budget savings early, rather than waiting until 1st April each year. This has created planned in-year savings on identified budgets, that can be used to generate one-off monies to fund known risks and future year Budget rounds. This is particularly important recognising the increasing challenges facing local authorities to balance their Budgets each year and within the context of Swindon spending £7m of one-off monies to generate its 2014-15 on-going Budget savings.

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- 3.5. As a result of this strategy, specific reserves have been created and increased during 2013-14, as set out in Appendix Three. This means that the Council has further capacity to invest in change initiatives, which is particularly important in the current climate. Members are recommended to approve that this strategy continues to be adopted for future years' Budgets.

4. Department Summaries

Chief Executive and Resources

- 4.1. These services were delivered broadly in line with budgets, with small underspends attributable to staff savings. The position on the Swindon Emergency Assistance Fund is set out in section 5 below.

Corporate

- 4.2. The Corporate Budget is used to balance the Council's overall Budget back to a break-even position. As Council-wide Departments delivered services under budget due mainly to the early implementation of 2014-15 Budget savings, there was an unbudgeted reserves transfer of £1.6m.

Commissioning

- 4.3. Savings across Adults, Economy and Law and Democratic Services offset an overspend in Children and Families due to additional staffing and care packages costs linked to higher than budgeted demand for social care support. Recognising the on-going risks within this area, it is assumed that the Departmental net underspend of £311k will be carried forward to fund additional resources in this area in 2014-15.

Service Delivery

- 4.4. The Department delivered services £783k below budget, most of which has been forecast throughout the year due mainly to additional income, staffing savings and lower than budgeted transport costs for children with special educational needs (SEN).

5. 2014-15 New Funding Available

Swindon Emergency Assistance Fund

- 5.1. Until April 2013, Crisis Loans and Community Care Grants were provided by the Department of Works and Pensions. These loans and grants were made to low income households in urgent need and to help them with purchases of basic needs and specialist equipment. These were abolished and local authorities were asked to create their own Local Welfare Schemes.
- 5.2. Under this Swindon Borough Council was given a grant of £528,760 in 2013-14 by Government to cover the costs of the administration of the fund and the fund itself. The Council spent £103,504 administering the fund, including IT

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licences and staff and paid out £111,378 on awards leaving a balance of £313,878 unspent.

- 5.3. One of the main reasons that the fund is underspent is that the Council has been providing the required goods and services efficiently and has not made cash awards. Also, at the time of developing the scheme it was unclear as to what would need to be available to help vulnerable people through the winter period with heating, electricity and food.
- 5.4. In order that the Council can spend the full amount allocated on supporting vulnerable people, the unspent 2013-14 balance of £313,878 has been transferred to a reserve. Members are asked to endorse that this funding is carried forward for this purpose.

Care Bill Implementation Grant

- 5.5. Members will be aware of the new responsibilities on local authorities to support vulnerable people under the Care Act 2014. The Council has recently been notified that the Department of Health is making a new grant available in 2014-15.
- 5.6. The purpose of the grant is to support local authorities in preparing for implementation of the Care Act. £125k is available to each local authority under a Memorandum of Understanding. This funding will not be formally ring-fenced but is intended to be used to support this work.
- 5.7. Members are asked to endorse the addition of this sum to the Adult Social Care Budget in 2014-15.

6. Business Rates Retention Scheme (BRRS)

- 6.1. Under the new BRRS, Billing Authorities are now required to maintain a Collection Fund to record transactions relating to Business Rates, as well as for Council Tax. As part of setting its Budget each year, the Council makes an estimate of the likely level of income it can call from the Collection Fund. At year-end the final position will vary compared to this estimate which gives rise to a surplus or deficit on the Collection Fund. Any surplus or deficit must be taken into account as part of setting the budget in the next financial year.
- 6.2. The 2013-14 Budget assumed that £450k of additional funding over and above the Government-set base-line would be drawn from the account out of a total call on the Collection Fund of £102.561m. Taking this additional call into consideration, the level of net Business Rates income was £1.6m less than had been assumed in the Budget. This is accounted for through the Council's share of the Business Rates Collection Fund closing with a deficit as at 31st March 2014 of £2.728m less income credited directly to the Council's General Fund of £1.109m. This latter figure has been created from 2013-14 Small Business Rates Relief (S31) grant of £593k, £380k for the levy payable to the Government in respect of the business rates growth assumed in the

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budget plus £136k of discretionary rate relief, and has been credited to a specific reserve to allow the Council to use it to mitigate the impact of deficit in future years.

- 6.3. The main reason for the deficit on Business Rates Account is due to historical appeals. As part of the introduction of the Business Rates Retention Scheme on 1st April 2013, responsibility for estimating the impact of back dated appeals transferred to billing authorities. Across the country, it has proven to be extremely difficult to predict with any degree of accuracy the level of successful appeals, due to their volatile nature.
- 6.4. When the Council set the budget for 2013-14, the estimate for appeals based on the Valuation Office appeals list at that time was £4.887m. Over the last 12 months, the Valuation Office has been working hard to clear the backlog of appeals in response to a commitment from Government. For Swindon Borough Council, the total value of the impact of successful appeals was £6.005m. However, the Valuation Office was unable to address all outstanding appeals and new appeals continue to be received. Based on the Valuation Office list dated 31st March 2014, there are 334 appeals outstanding with a combined rateable value of £53.756m. A provision of £3.818m has been made in respect of these appeals, which is an estimate based on experience during 2013-14.
- 6.5. The unexpectedly high level of successful appeals is masking an underlying small growth in Business Rates income across the Borough. It is hoped that the Council will be able to take advantage of its share of this when it sets its 2015-16 Budget. However, until the backdated appeals have been cleared, the Collection Fund will continue to show a deficit.

7. Swindon Commercial Services Ltd

- 7.1. As identified in the last report to Cabinet, following the integration of services from Swindon Commercial Services Limited (SCS) into the Council on 1st November 2013, it has been difficult to make a like for like comparison of the financial position of the individual services compared with the original Budget.
- 7.2. The out-turn for the smaller, reshaped Swindon Commercial Services Limited was a loss of £826k. The main reasons for this were two-fold. Firstly, the Company incurred upfront costs on Photovoltaic work in 2013-14 of £615k that is expected to yield financial benefits in later years as sites are approved for development. In addition, a trading deficit of £287k on the Refuse Derived Fuel (RDF) / Solid Recovered Fuel (SRF) Plant was incurred as the operation was transitioned into full operation. The opening of this plant has enabled the Council to reduce its landfill costs that would have appeared elsewhere within its Budget.
- 7.3. The cashflow loan outstanding from the original limited company was written down by £1.3m on 1st November 2013 to reflect the value of assets that

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transferred from SCS back to the Council as part of the integration exercise. This brought the outstanding balance owed by the company down to £863k and no payments have been made since that date. Against this, a combination of the rebate generated on services returned to the Council on 1st November and deliberately reducing the cost of returned services from that date to 31st March 2014 has generated an underspend of nearly £2m. This was partly due to the early implementation of 2014-15 Budget savings and partly due to these services provided to the Council previously subsidising losses on other work undertaken by the limited company.

- 7.4. The £2m surplus on the returned services has been used to create reserves to cover the Limited Company losses and additional recycling vehicle rebodding works. The balance is held as a bad debt provision to cover any costs from works commissioned by the limited company for services that have now transferred back to the Council.
- 7.5. Members are not advised to use the reserve for SCS losses to cover the year-end loss for 2013-14 but, until the company is in a position to return a trading surplus, from a prudence perspective the Council needs to show that it can cover this sum.

8. Housing Revenue Account (HRA)

- 8.1. The HRA revenue budget underspent by £1.52m over the year, relating to various underspends in estate management and ICT, savings due to a lower level of voids than was envisaged, specialist surveys which will be carried out in 2014/15 instead of 2013/14, and savings in staff costs across a number of areas generally.
- 8.2. As agreed previously, £745k of underspend is being used to fund roof renewal work and the additional underspend of £771k will be held as a contingency against any unforeseen costs that may arise as a result of the integration of SCS Waterside operations back into the Council.
- 8.3. HRA revenue reserves at year end increased from £8.5m to £9.5m, £771k relating to the contingency referred to in the previous paragraph and a further £255k which relates to underspends on services funded through service charges and ring-fenced to these services.
- 8.4. Capital Reserves have remained static at £18.2m. This sum comprises £1.2m of Right to Buy receipts held for new build (an increase of £774k in year), £14.8m to fund existing capital programme approvals (including both Sussex Square and the new acquisition programme) which leaves a remaining unallocated balance of £2.1m.
- 8.5. The HRA under self- financing arrangements has borrowing headroom of £31.9m against a debt cap of £172.4m. As reported to Cabinet in April 2014 the remaining headroom will be targeted at a development programme for

Further information on the subject of this report can be obtained from Kirsty Cole on Direct Dial No. 464610 or Email kcole@swindon.gov.uk

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affordable housing. The Government currently has a bid round that will allow successful bidders to increase their headroom and officers are currently in discussions with Government officials to extend this headroom by a further £2m to increase the size of the development programme. The outcome of these discussions and a formal bid is expected to be known in September 2014 and details reported back to Cabinet.

9. Dedicated Schools Grant (DSG)

- 9.1. The Schools Budget is entirely funded by Government through the Dedicated Schools Grant (DSG). The final total of DSG receivable for 2013-14 is estimated at £145.6m subject to the Department for Education (DfE) confirming the Local Authority's recalculation of the early years' element, which is now linked to participation, and is estimated to be £0.2m higher than was budgeted for. In accordance with the DfE's school funding reform programme, the majority of DSG funding was delegated to Schools and Academies although the Local Authority retained a proportion of funding for Special Educational Needs (SEN) pupils which was subsequently paid over to specialist settings both within Swindon and outside the Borough based on actual occupancy and the needs of individual pupils. The Local Authority also retained funding to meet the costs of free nursery education for disadvantaged two year olds and all three and four year old pupils which was paid over to early years settings based on actual occupancy during the year. The total of the 2013-14 centrally retained budget approved by the Schools Forum was £26.7m.
- 9.2. The 2013-14 out-turn against the retained budget is an underspend of £1.0m (subject to external audit) which is £0.5m higher than the end of January projections which were reported to the Schools Forum on 11th March 2014. The most significant areas of underspend were on external placements as fewer pupils were placed outside Swindon and on post 16 payments to colleges and other providers. The Local Authority inherited new responsibilities to fund post 16 provision in non-school settings from the Education Funding Agency with effect from September 2013 and it is relevant to note that the post 16 budget had been enhanced, above the level of DSG funding provided, in anticipation of significant cost pressures which did not fully materialise. Although the enhanced post 16 budget was underspent, the level of spending on post school provision was still higher than the level of additional post 16 funding provided in our DSG settlement. The Local Authority also received higher than expected exclusions and dual registered income from schools during 2013-14 which also contributed to the net underspend.
- 9.3. The DSG is a ring-fenced grant and local authorities are allowed to overspend their DSG allocation, with that amount being the first call on the DSG received in the following financial year. Underspends on the DSG must be carried forward for distribution subject to annual discussions with the Schools Forum

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and a number of 2014-15 allocation decisions were taken in March in anticipation of a £0.5m 2013-14 underspend. An update on the implications of carrying forward a higher than expected balance will be reported to the Forum in July.

10. Capital Programme Update

Universal Infant Free School Meals

- 10.1. On 17th September 2013, the Deputy Prime Minister announced that from September 2014 every child in reception, year 1 and year 2 in a state funded school would receive a free hot lunch and this is to become a legislative requirement. To fund this initiative, £600m has been made available nationally of which £450m will be to cover the cost of meals with £150m earmarked for capital set up costs. Swindon has been notified that its capital allocation is £360,965 for community and voluntary controlled schools and that £28,226 has been allocated for voluntary aided schools although none of this funding is ring-fenced.
- 10.2. There is an expectation from the Department for Education that Local Authorities and the Diocese in their areas will collaborate on this matter, which is the case in Swindon. (Academies were required to submit bids to the Education Funding Agency by the 31st January 2014 for their kitchen and dining room requirements). Additional funding of at least £3k is being provided by the Education Funding Agency to all small schools (i.e. those with fewer than 150 pupils) to cover their start-up costs.
- 10.3. Take up of the free hot lunch is expected by the Department for Education to be up to 85% and the starting point for individual schools and therefore their expansion plans will vary considerably depending on current levels of free school meals and take up. As a result there will be significant logistical challenges for schools in accommodating children into the lunch space and time available. It is acknowledged that not all schools provide their own in house / on site catering and that this could have implications for their contractors/providers. The Local Authority has established a project team to assess the scale of the requirements for capital expenditure and to promote collaborative working (e.g. joint purchasing and maximising use of larger kitchens) between schools. The Council will therefore be supporting schools to meet this new legislative requirement but, recognising its wider financial challenges, will not be supplementing the Government funding with additional General Fund contributions.
- 10.4. The Local Authority has written to all community, voluntary controlled and voluntary aided schools inviting bids for capital funding towards additional / replacement catering equipment and related furniture and / or necessary upgrades to electrical supplies. Based on initial assessments it is expected that bids will exceed the capital allocation and all schools will be asked to contribute at least 20% towards their costs. It should be noted that there is an

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expectation that the free entitlement could be widened to include Key Stage 2 (Years 3, 4, 5 and 6) pupils in future years and schools have been asked to consider this in their bids. Whether any additional capital funding will be provided by Department for Education in future is unclear.

- 10.5. Members are asked to note that Swindon has received a capital allocation of £360,965 for community and voluntary controlled schools to fund the implementation of Universal Infant Free School meals and approve that this funding is incorporated into the Council's capital programme and fully allocated across schools during 2014-15;

Plas Pencelli

- 10.6. Approval is sought for a budget of £167k relating to a proposed extension to the Plas Pencelli lodge which will provide increased capacity and associated flexibility of the lodge with the anticipated result of higher revenues. This will be funded through Plas Pencelli reserves of £77k with the required borrowing of £90,000 to be repaid from the additional revenue generated over 10 years.

Eastern Villages

- 10.7. The Eastern Villages project is one component of Swindon Borough Council's Growing Economy Programme (GEP), aimed at accelerating achievement of the priorities of the Economic Strategy agreed by Swindon Borough Council in January 2013.
- 10.8. A number of feasibility studies have been identified that are required to generate evidence to underpin the development and provide greater detail around the infrastructure costs necessary to ensure that the development is sustainable. These cover a number of key areas including land drainage and flood defence, junction improvements, bridge infrastructure, education and leisure provision. An early requirement is to develop a Land Drainage and Flood Defence feasibility study that will:-
- 10.8.1. Confirm that the Eastern Villages proposal is sound with respect to strategic river capacity for surface water runoff;
 - 10.8.2. Ensure that infrastructure that Swindon Borough Council will be required to adopt is planned strategically and to design standards approved by Swindon Borough Council and allow costs to be appropriately allocated to the developer;
 - 10.8.3. Provide a framework that is flexible enough to respond to an uncertain delivery timetable and confirm that the strategic surface water system from the tasks above will not require additional strategic improvements to the river network.
- 10.9. Approval is therefore requested for a budget of £149k to progress this work through the CH2M Hill (formerly Halcrow) contract under the terms of their

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appointment as Swindon Borough Council's Term Consultant for engineering and highways services including land drainage. This will be funded by the Growth Feasibility Reserve of £1m, which was referred to in the Capital Monitoring Report.

Sanford House

- 10.10. Cabinet approved the redevelopment of Sanford House into a voluntary sector hub on 12th June 2013 (Cabinet Minute 13, 2013/14 refers), with a budget of £350k. Work started on the building earlier this year and the contractors have uncovered a number of problems that were not identified during initial inspection and commissioning of project.
- 10.11. The costs of the additional works (electrical rewiring, new fire alarm system, roofing etc.) are estimated at £98k and as a result approval to increase the Sanford House capital budget by £100k to £450k is now being made. The Sanford House project is a jointly funded project with Swindon Clinical Commissioning Group (CCG) with both organisations seeing benefits to health and social care of the voluntary sector hub. Swindon CCG has provided confirmation that they will fund £50k (50%) of the additional costs. This would leave SBC to fund the balance of £50k.
- 10.12. Adult Social Care (ASC) is in receipt of a ring-fenced capital grant and had three new capital schemes approved on 5th February 2014, ASC Community Equipment, On-line Care Assessment and Replacement of ASC Care Management System. Approval is sought to reduce the ASC Community Equipment budget by £50k and utilise £50k of the ASC ring fenced grant to meet SBC's share of the budget pressure.
- 10.13. Shopmobility is to move onto the Sanford House campus (caretaker's bungalow and car park) and as a result the two capital schemes, Sanford House £450k and Shopmobility £145k, are being managed as one project. Approval to merge the two capital budgets into one is now requested.

11. Alternative Options

- 11.1. Members may choose to not agree the increases to capital and revenue budgets or the transfers to reserves.

12. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 12.1. Where there are specific financial implications these have been reflected in the body of the report.

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Legal and Human Rights Implications

- 12.2. All legal and human rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.

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

- 12.3. There are no such direct implications.

Diversity Impact Assessment (DIA)

- 12.4. A Diversity Impact Assessment (DIA) has not been done as this report does not make any new recommendations that would have a detrimental impact on services. The investment in infrastructure to support the introduction of free school meals in primary schools and the carry forward of unspent Emergency Assistance Fund monies is considered to have a positive impact on low income families.

13. **Consultees**

- 13.1. The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

14. **Background Papers and Appendices**

- 14.1. Appendix One – Out-turn by Department 2013-14
14.2. Appendix Two – Out-turn by Service 2013-14
14.3. Appendix Three – Reserves Statement 31st March 2014

15. **Key Decision/Decision in Forward Plan**

- 15.1. This is not a key decision and is included in the Cabinet Work Programme / Forward Plan for June 2014.

Fund	Department	Service Area	Budget 2013/14 £'000	Full Year Outturn £'000	Variance £'000	Movement since last report £'000	Commentary on Reasons for Variance
General Fund	Chief Executive	Stronger Together	200	200	0	0	
		Internal Audit	411	376	(35)	(5)	Staff savings
	Resources	Localities	553	553	0	0	
		Communication & Insight	396	394	(2)	(2)	
		Finance	1,560	1,523	(37)	(7)	
		Revenues & Benefits	2,623	2,612	(11)	(1)	
			(1,680)	(2,226)	(546)	292	Additional court cost income of £300k, £34k staff vacancy savings; £140k from improved position on benefits and DWP grants. The movement between the last report and final position is due to the proposal to carry forward the unspent Emergency Assistance Fund of £314k
		Property Assets	(2,793)	(2,958)	(165)	0	Receipt of non-recurring rental and covenant release of £290k, new rental income of £172k, DMJ service charge underspend (SBC areas) of £50k mitigating cost of unlet commercial unit of £240k. Transfer to reserve £107k
		Design & Architecture	1,310	1,303	(7)	17	A small underspend on repairs and maintenance costs.
		Corporate	(10,570)	(9,013)	1,557	230	Net surplus on Council services due mainly to the early delivery of 2014-15 savings transferred to Reserves. The movement since the last report is due to an increase in the level of Council-wide underspend and hence the increase in the balancing reserve movement.
Commissioning	IT & HR		987	979	(8)	2	
			(10,123)	(9,303)	820	540	
	Law & Democratic Services		2,703	2,510	(193)	(53)	Staff vacancy savings of £70k, Additional Registrar income of £56k, £30k underspend on Member's budgets, final Government settlement for Police election of £23k, minor variances totalling £14k.
	Management Children & Adults		799	793	(6)	(3)	Savings on office expenses
	Economy / Attainment Public Health		60,916	60,775	(141)	95	Cost of care packages was a net £21k overspend. The underspend against budget was due to one off contract savings and staff vacancies.
			2,385	2,014	(371)	(37)	Use of rental income to fund part of the annual service charge payable to Forward Swindon Limited (FSL) and staff vacancies
			7,891	7,891	0	0	Ring-fenced grant so the underspend of £157k has been transferred into a specific reserve.

Fund	Department	Service Area	Budget 2013/14 £'000	Full Year Outturn £'000	Variance £'000	Movement since last report £'000	Commentary on Reasons for Variance
		Children and Families Childrens Risk Reserve	18,045 0	18,445 311	400 311	(314) 311	Additional staffing and care package costs in response to higher than budgeted levels of demand on social care services The net underspend across the whole Commissioning Budget has been carried forward to bolster the 2014-15 Budget for Children and Families to fund a temporary increase in staffing costs to respond to specific demands within the service.
	Service Delivery	Commercial Services Public Protection & Streetsmart Leisure, Libraries, Culture & Traded Services	92,739 33,439 1,663 5,618	92,739 33,546 1,357 5,737	0 107 (306) 119	(1) 53 (98) (75)	Overspend on waste disposal costs £56k, £14k saving on Leisure & Culture Commissioning on various budget heads. Cremations Income (£109K), staff savings (£76K), Grounds maintenance (£49K) and other miscellaneous income (£41K) Recreation Income pressures £219K including £85k due to the temporary closure of the ice rink at the Link whilst the pad was replaced. Also other Link repairs costs pressure of £164K. These costs are partially offset by reduced recreation utility costs (£92K), staff savings (£70K) and increased community facilities hiring with associated premises cost reduction (£41K). Other miscellaneous variances are £61K
		Housing Services	343	208	(135)	(23)	The full year underspend relates to £36k saving against staffing. The Private sector landlords budget saw the largest saving of £66k relating to a lower number of properties being rented compared to budget forecasts.
		Highways & Transport	4,925	4,725	(200)	(156)	Bus contracts unrealised savings of £131K offset by reduced costs of home to school transport (£177K). Car park Pay & Display income pressure £95K and increased NNDR £114K offset by staff savings (£209K) and car park season ticket income (£143K)
		Planning	276	6	(270)	25	Increased planning fee income due to higher number of large applications (£329K), other miscellaneous variances £59K
		Business Services & Support	17,600	17,502	(98)	(4)	Staff savings (£57K), other miscellaneous savings including training (£39K)
	General Fund Total		63,864 148,040	63,081 148,040	(783) 0	(278) 254	
Health	Health Commissioning	Health Children and Adults (£32.7m gross expenditure on Adults)	0	0	0	(12)	Miscellaneous Variances

Fund	Department	Service Area	Budget 2013/14 £'000	Full Year Outturn £'000	Variance £'000	Movement since last report £'000	Commentary on Reasons for Variance
	Health Service Delivery	Health Children and Families (£8.5m Gross Expenditure on Children)	0	0	0	65	Carry forward of Health funded underspend into 2014-15
Health Total			0	0	0	53	
Dedicated Schools Grant	DSG Commissioning	DSG Economy / Attainment (£145.6m gross expenditure) DSG Reserve	0	(560)	(560)	(1)	Additional savings on external placements due to revised packages and more internal placements plus savings in the Post 16 High Needs responsibilities as planned school places did not occur.
				560	560	560	Underspend on the DSG must be carried forward for distribution subject to annual discussions with the Schools Forum.
Dedicated Schools Grant Total			0	0	0	559	
Housing Revenue Account	Housing Revenue Account	Supervision & Management	(34,890)	(36,453)	(1,563)	(517)	Supervision & Management underspent by £1.56m with the HRA revenue budget overall underspent by £1.52m. This was attributable to various underspends in estate management and ICT, savings due to a lower level of voids than was envisaged, specialist surveys which will be carried out in 2014-15 instead of 2013-14, and savings in staff costs across a number of areas generally.
		Special Services	327	89	(238)	(111)	An underspend of £238k which is funded through service charges and ring-fenced to these services.
		Repairs	8,073	8,357	284	284	Reflects the final position on repairs following a detailed review of work undertaken by the operational teams at Waterside.
		HRA Capital Financing	26,490	26,490	0	0	
		HRA Reserve	0	1,517	1,517	1,517	The net in-year HRA balance is transferred to it's reserve at year-end
Housing Revenue Account Total			0	0	0	1,173	
Grand Total			148,040	148,040	0	2,039	

Service Area Summary 2013-14	Budget 2013/14 £'000	Full Year Outturn £'000	Variance £'000	Movement since last report £'000
Education and Other Children Services	9,692	9,106	(586)	(258)
Culture, Leisure & Libraries	5,853	5,962	109	(27)
Environmental & Regulatory	22,587	22,633	46	(42)
Highways & Transport	1,514	1,472	(42)	(8)
Housing GF	3,998	4,227	229	127
Planning & Development	(2,838)	(3,491)	(653)	34
Social Care - Adults	53,901	53,370	(531)	109
Social Care - Children	17,885	18,775	890	43
Public Health	9,396	9,258	(138)	(138)
Corporate & Support:				
Central Services	16,356	17,032	676	413
Debt Management (Debt Charges & Investments)	9,696	9,696	0	0
Total General Fund	148,040	148,040	0	254
Total DSG	0	0	0	526
Total Health	0	0	0	54
Total HRA	0	0	0	1,173
Grand Total	148,040	148,040	0	2,007

Description	Balance 31 Mar-14 £000	Est. Life Remaining	Reason for Reserve
<u>Major Project Commitments</u>			
PFI Equalisation Reserve	(5,047)	3+	This reserve is to contribute to the Northern Sector Schools' PFI scheme. It will help fund the stages of the project where income is less than expense. The level of the reserve is reassessed annually. Reserve created to cashflow capital financing liabilities for the
Wichelstowe Cashflowing Reserve	(5,616)	3+	Wichelstowe development. This will enable the General Fund to be protected from any impact of the Wichelstowe development until around 2015.
<u>Infrastructure Related</u>			
Regeneration Reserve	(1,250)	1	Reserve created to support the redevelopment of the Town Centre and other major developments.
Growth Feasibility Studies	(1,073)	3+	Reserve created from CLG Growth Point revenue funding, which was awarded to fund projects that bring forward housing numbers.
New Homes Bonus grant funding	(4,466)	3+	New Homes Bonus grant funding, primarily to be used to support Capital spending and to support bringing empty homes back into use, as approved by Cabinet and Council.
<u>Cashflowing Reserves</u>			
Leisure Options Appraisal	(3,000)	1	Sum approved by Cabinet to support the transfer of leisure assets at an on-going net zero subsidy to the Council
Cashflowing Reserve	(4,173)	3+	This reserve will supplement General Reserves, with the specific purpose of cashflowing costs incurred to support future year's Budget savings.
Potential funding for SCS RDF plant	(3,258)	1	Cabinet has approved that the Council will provide funding through a loan to Swindon Commercial Services Ltd for a plant to produce Refuse Derived Fuel. Potential funding sources will need to be agreed with the Council's Auditors, and it would advantageous if it could be funded from borrowing.
SCS Reintegration Invest To Save Reserve	(525)	1	Sum approved by Cabinet to fund capacity and ICT costs to enable 2015-16 Savings
ICT Reshaping Reserve [sum to be confirmed this week]	(2,000)	1	Reserve created to fund on an invest to save basis changes to the ICT service to fund 2015-16 savings

Description	Balance 31 Mar-14 £000	Est. Life Remaining	Reason for Reserve
Business Rates Appeals Reserve	(1,109)	1	Reserve created to fund backdated appeals to enable the Council to benefit from growth earlier Funding for future work relating to Local Development Framework / minerals plans and core strategy The demands of forward planning are such that frameworks need to be required for different aspects of town planning over a period of years. These will cover waste, minerals and plans for the borough covering residential, commercial and industrial development.
Fund Planning Reserve	(139)	3+	
Invest to Save Organisational Change [sum to be confirmed this week]	(3,000)	3+	Reserve created to fund on an invest to save basis changes to back-office services to fund 2015-16 savings
<u>Other General Fund</u>			
Insurance Excess Self Fund	(3,345)	3+	Reserve built up to cover the cost of claims in future years on non-Housing Council property. This is linked to the level of self-insurance and insurance premiums.
Community Enterprise Fund	(500)	3+	Can be used to support local community initiatives in support of the Stronger Together programme.
Academy Conversions	(95)	3+	To provide funding toward the cost of anticipated academy conversions.
Equal Pay	(1,500)		Covers risk against equal pay claims.
One Swindon Transformation Funding	(477)	3+	Government funding to cash flow Swindon's joint Transformation work
Emergency Assistance Fund	(314)	3+	2013-14 Underspend carried forward to fund on-going support to vulnerable people
Children and Families - 2014-15 additional staffing fund	(307)	1	2013-14 Commissioning underspend carried forward to fund additional support in Children and Families in 2014-15
Public Health Reserve	(157)	1	2013-14 underspend on ring-fenced grant
Recycling Vehicles Rebodying Fund	(400)	1	Funding to pay for the rebodys of recycling vehicles over and above the sum allowed for in the base budget
Green Waste Reserve	(185)	1	Balance of one-off funding approved by Cabinet on 31-12-13 yet to be spent on ICT and bins
Reserve to cover SCS Loss should future profits not materialise	(826)	1	2013-14 SCS loss

Description	Balance	Est. Life	Reason for Reserve
	31 Mar-14 £000	Remaining	
Winter Maintenance Reserve	(300)	3+	Current budgetary provision for highway gritting is not sufficient to deal with exceptional demand, which a particularly bad winter would create. This reserve would augment the budget in those years. It is reassessed each year.
Service Improvements Reserve	(845)	1	One-Off sums approved by Cabinet in March 2014 for improvements such as potholes repairs
Severance Costs	(3,000)	3+	Covers sums that cannot be met from the base budget.
Balance of 56 other GF reserves	(3,411)		
Balance of new GF reserves	(1,220)		
Total General Fund Reserves	(51,538)		
<u>School Related</u>			
School Rollovers	(6,217)	3+	The Schools Finance Regulations allow schools to roll forward balances held. This balance represents the combined total of all schools' rolled-forward balances.
DSG rollover	(3,241)	3+	Set up as a ring fenced reserve for DSG non-schools underspend
<u>Housing Related</u>			
HRA Specific Reserves	(5,690)	3+	Reserves earmarked within the Housing Revenue Account
Total Reserves	(66,685)		

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Ofsted and Care Quality Commission Inspections

Cabinet

Date: 25th June 2014

Author: Cabinet Member for Children's Services
Board Director Commissioning DCS/DASS

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 The report sets out the findings of two major inspections of Children's Services in Swindon and reports to Cabinet on the actions planned to meet the identified areas for development. The inspection reports can be found at;
<http://www.ofsted.gov.uk/local-authorities/swindon> and
<http://www.cqc.org.uk/public/publications/themed-inspections/child-safeguarding-and-looked-after-children-inspection-progr> and the reports and action plans are attached here as appendices.
- 1.2 This report reviews the Care Quality Commission (CQC) inspection of health services for children looked after and safeguarding and Ofsted's inspection of services for children in need of help and protection, children looked after and care leavers and the review of the effectiveness of the Local Safeguarding Children's Board (LSCB). These reports go to the heart of the Council's statutory responsibilities for vulnerable children in Swindon. Cabinet needs to be satisfied that action plans to strengthen practice further are robust and proportionate.
- 1.3 The Ofsted inspection links most directly to 'Living Independently, protected from harm, leading healthy lives and making a positive contribution'.

2. Recommendations

Cabinet is recommended to:

- 2.1 Note the findings of the inspections and satisfy itself that the action plans in response will deliver the intended outcomes.
- 2.2 Note that the Board Director, Commissioning, and the Cabinet Member for Children's Services, have responsibility for monitoring the implementation of the action plans, involving the Health, Adults and Children's Services Overview and Scrutiny Committee in areas particularly important to the Council, including the strategic priorities identified at 4.6.
- 2.3 Delegate to the Board Director, Commissioning and Cabinet Member Children's Services the authority to amend the action plans following Ofsted's review at the start of July 2014.
-

Further information on the subject of this report can be obtained from Victoria Guillaume at Direct Dial Telephone Number 01793 463855, vguillaume@swindon.gov.uk

Ofsted and Care Quality Commission Inspections

Cabinet

Date: 25th June 2014

3. Care Quality Commission (CQC) Inspection Findings

- 3.1 The CQC inspection covers health commissioning and provision. Swindon is unusual in being the provider of Community Health Services for children. CQC, unlike Ofsted does not provide summary judgements. This makes benchmarking with other health providers less certain.
- 3.2 In relation to commissioning, inspectors commented positively on the joint commissioning arrangements between the local authority and the CCG. This has led to improvements in performance in the way drug and alcohol services are working with whole families and the good links between Targeted Mental Health in Schools and Child and Adolescent Mental Health Services. Inspectors highlighted governance and quality assurance as an area for development in relation to the commissioning of health services for looked after children.
- 3.3 In relation to provision, a number of strengths were identified in the services provided by the Council, in particular the Family Nurse Partnership, Health Visiting, School Nursing, TaMHS, and U-Turn. CQC were very positive about Swindon's work on Child Sexual Exploitation (CSE). They said "Multi-agency work to understand and tackle CSE in Swindon is excellent. The multi-agency risk panel (MARP) operates effectively and there is good information sharing and engagement across most services" On CSE, they went on to say "The work by Swindon Integrated Sexual Health (SWISH)...is exemplary.....CAMHS were also delivering high quality support."
- 3.4 The Council service identified by CQC as a priority for development is the health of children in care and care leavers. An action plan is being implemented to accelerate progress in this area. The Corporate Parenting Advisory Board will monitor Implementation and outcome improvement.

4. Ofsted Inspection Findings

- 4.1 Ofsted's overall effectiveness judgement is that the Council's services require improvement to be good (RI). The RI judgement replaces the adequate/satisfactory judgement in the previous inspection regime, reflecting Ofsted's explicit expectation that the bar should be raised and all services should be good. The new inspection regime is referred to as 'the harder test'. There are a series of sub-judgements, which are set out below:

Children who need help and protection	RI
Children looked after and achieving permanence	RI
Adoption performance	Good
Experience and progress of care leavers	RI
Leadership management and governance	RI

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Ofsted and Care Quality Commission Inspections

Cabinet

Date: 25th June 2014

LSCB

Good

- 4.2 Swindon's inspection outcomes compare with the experience reported nationally to date. Under the new framework 17 Local Authorities have been inspected and inspection reports have now been published.
- 8 out of 17 local authorities have been inspected and have gone from either Adequate or Good to RI (47%),
 - 6 out of 17 have received inspection judgements of Good (35%), and
 - 3 have been inspected and have been found Inadequate (18%).
- 4.3 The inspection was very thorough, and almost exclusively focused on frontline practice and the experience of service users. There were a total of 7 inspectors and 2 Quality Assurance Inspectors on site. In total, inspectors tracked 97 cases in detail and sampled a further 70. 16 young people participated, and 9 foster carers.
- 4.4 The Ofsted report highlights 13 areas of strength where practice is good or better and 16 development areas. Perhaps one of the most important findings is the endorsement of Swindon's self-assessment (**Appendix 1, para 120**), where inspectors told us what we already knew and they endorsed the priorities for improvement that we had identified in our position statement. The Council is very well positioned to build on the many strengths acknowledged by Ofsted. Ofsted endorsed the Council's effective political, strategic and administrative leadership.
- 4.5 Another key issue is that the inspection did not identify any areas where priority or immediate action is needed. The action plan in **Appendix 2** captures both the specified areas for improvement and additional text in the body of the report indicating where practice could be further strengthened.
- 4.6 The inspection was wide ranging and detailed and it is not possible in the scope of this report to do justice to all the detail. There are four key strategic priorities from the inspection;
- Strengthen the electronic case management system, ICS and the ICT infrastructure,
 - Ensure caseloads are manageable,
 - Translate the excellent work at strategic level on CSE into the highest quality frontline practice across the whole service, and
 - Strengthen further quality assurance.
- 4.7 Ofsted recognised that Swindon has experienced a very significant increase in activity and some workforce churn, leading to higher caseloads in some parts of
-

Further information on the subject of this report can be obtained from Victoria Guillaume at Direct Dial Telephone Number 01793 463855, vguillaume@swindon.gov.uk

Ofsted and Care Quality Commission Inspections

Cabinet

Date: 25th June 2014

the service. This was a particular feature of the Assessment and Child Protection Team, and had inevitably had an adverse impact on some practice, in spite of active steps, recognised by Ofsted, to mitigate impacts.

- 4.8 Ofsted recognised the Council's firm commitment to safeguarding in Swindon, through the quality of partnership, through increased funding in response to increased demand and through 'consistent and visible leadership for children's services. There is much to be commended in the report and Swindon is well positioned to further strengthen services for the most vulnerable children in the Borough.
- 4.9 The Ofsted review of the Local Safeguarding Children Board (LSCB) was undertaken at the same time as the Ofsted inspection of services to help and protect children, children in care and care leavers. Ofsted judged that the effectiveness of the Swindon Local Safeguarding Children Board is 'good'. Ofsted identified 3 areas for improvement which are being addressed through the LSCB. The report is attached at **Appendix 1**.

5. Alternative Options

- 5.1 There are no alternative options. Services to help and protect children and young people, children in care and care leavers are the most important that the council provides, and it is imperative that Cabinet is fully informed of the Ofsted inspection and the corresponding Action Plan.

6. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 6.1 There are no direct financial or procurement implications arising from this report

Legal and Human Rights Implications

- 6.2 There are no direct legal or human rights implications arising from this report.

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

- 6.3 None identified

Diversity Impact Assessment (DIA)

- 6.4 Diversity Impact Assessments are completed for individual strategies and plans within Children's Services. These include the DIA for the Children and Young People's Early Support Strategy at:

<http://10.154.104.226:9070/mgConvert2PDF.aspx?ID=47757>

Further information on the subject of this report can be obtained from Victoria Guillaume at Direct Dial Telephone Number 01793 463855, vguillaume@swindon.gov.uk

Ofsted and Care Quality Commission Inspections

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Date: 25th June 2014

All relevant diversity impact assessments will be reviewed in light of inspection reports.

Risk Management

- 6.5 All risks associated with Children's Services are identified within the Corporate Risk Management Framework.

7. Consultees

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

8. Background Papers

- 8.1 None

9. Appendices

- 9.1 Appendix 1 Ofsted report into services for children in need of help and protection, children in care and care leavers in Swindon
- 9.2 Appendix 2 Ofsted Inspection Action Plan and cover sheet
- 9.3 Appendix 3 CQC Review of Health Services for children looked after and safeguarding in Swindon
- 9.4 Appendix 4 CQC Inspection Action Plan

10. Key Decision/Decision in Forward Plan

- 10.1 This is not a Key Decision and is not included in the Cabinet Forward Plan for June 2014.

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Superfast Broadband Extension Programme

Cabinet

Date: 25th June 2014

Authors:	Cabinet Member for the Economy, Regeneration and Skills, and Board Director, Resources
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1. To consider the Council's involvement in the Superfast Broadband Extension Programme being promoted by the Government through its agency Broadband Delivery UK (BDUK), through which internet connectivity with line speeds of 30Mbps or more could be secured for 95% of households and premises in the Borough by 2017.
- 1.2. Wider superfast broadband coverage across the Borough would contribute directly to the Council's priority to secure, "right skills, right jobs in the right places" and offer the potential to develop innovative technical solutions that would help achieve the priorities to "together, find new ways to reduce vulnerability and improve health for all" and "work with people and families to help them fulfil their potential".

2. Recommendations

Cabinet is recommended to:

- 2.1 Authorise the Board Director Resources to submit a formal request for funding to Broadband Delivery UK (BDUK) by 30th June 2014 that will signal the Council's intent to participate in the next stage of the Superfast Broadband Extension Programme;
- 2.2 In support of the request for funding, approve that a further £1.540m be set aside from the Infrastructure Fund established by Council in February 2014 as the Council's match funding contribution and to cover project costs, as detailed in Table 1 of the report;
- 2.3 Agree that an EU compliant open tender process be entered into for this project in order to enable bids to be received for a range of possible technical solutions, as outlined in section 5 of this report;
- 2.4 Support on-going dialogue with Parish Councils and other stakeholders, both through a formal "open market assessment" and through other channels, to assess how they can best be involved in the programme;
- 2.5 Authorise the Director of Law and Democratic Services, in consultation with the Cabinet Member for the Economy, Regeneration and Skills and the Board

Superfast Broadband Extension Programme

Cabinet

Date: 25th June 2014

Director Resources, to complete and enter into such agreements and associated documentation on such terms as he considers necessary to protect the Council's interests in this matter.

3. Background

- 3.1 Cabinet approved a budget of £250k in February 2012 (Cabinet Minute 90, 2012/13 refers) to match fund an allocation from Broadband Delivery UK (BDUK), a government agency established to expand superfast broadband connectivity nationally) that was part of an overall sum announced for Wiltshire and Swindon. The Swindon element was much lower than that for Wiltshire due to its superfast connectivity at the time being significantly better.
- 3.2 The funding came with strings, most particularly a contractual requirement to procure through a framework established by BDUK from either BT or Fujitsu and to do so in partnership with Wiltshire Council and South Gloucestershire Council. Following negotiations with the other parties, Swindon Borough Council decided to cease its participation in the programme at that stage, due to Member concerns about value for money. (This also happened in other similar areas, where an urban conurbation was linked to a much larger and more rural area, with the funding being inevitably skewed towards the latter given its comparative paucity of superfast coverage.) Only a small amount of the original funding allocation was spent, meaning that £240k is still included in the Council's capital programme for this purpose.
- 3.3 Although Swindon is relatively well served in terms of broadband connectivity, it is recognised that there are large parts of the Borough that continue to suffer from poor speeds that residents and businesses find unsatisfactory. This is the case both for rural areas and for some more urban areas (e.g. parts of North Swindon). Discussions with BT have confirmed that they have no current plans to improve the current coverage through commercial investment. On this basis, BDUK's Superfast Broadband Extension Programme represents the only opportunity at the current time to improve the on-line experience for residents and businesses.
- 3.4 In order to enable the Council to keep its options open, the Board Director Resources, with the agreement of the Leader of the Council, has submitted an expression of interest from SBC to participate in the next phase of the Superfast Broadband Programme. At this stage, this commits the Council to nothing but indicates that SBC may be willing to contribute necessary match funding of £1.5m to match the full grant offered by BDUK. It is believed that this should lever in further funding from the delivery partner. On this basis, BDUK have estimated that there should be sufficient funding to connect at least 95% of the Borough to a superfast network, which is their aim for the next stage of their programme. Swindon's parish and town councils have been made aware of the issues surrounding the delivery of superfast broadband within the Borough and have met with officers as well as representatives of BDUK and BT. They are supportive of the establishment of mechanisms that

Further information on the subject of this report can be obtained from Stuart McKellar on Direct Dial No. 463300 or Email smckellar@swindon.gov.uk

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will support the provision of improved broadband coverage, particularly to more rural communities within the Borough.

- 3.5 Cabinet now needs to agree whether SBC should proceed to the next stage in the process by submitting a request for funding. In order to do so, the Council would need to be able to demonstrate that it has committed funding for both the capital infrastructure and the revenue resources required to manage and monitor the contract. If this happens, a related decision is whether to use the BDUK procurement framework or, instead, open up the opportunity to the wider market.
- 3.6 It should be noted that, until a contractual agreement is reached with a delivery partner, it will not be known which areas of the Borough will be within the 95%+ coverage area and which will remain outside it.

4. Joining the Superfast Broadband Extension Programme

- 4.1 There are advantages to Swindon, both socially and economically, in having more widespread access to fast broadband connectivity. Currently, residents and businesses in the more rural parts of the Borough are disadvantaged in terms of the typical connection speeds they can achieve, meaning some are unable to participate fully in the range of digital services now available. This is set to become a more significant issue in the years ahead, with the UK Government committed to moving to a “digital by default” service delivery model. Research also suggests that areas with faster connectivity are better able to achieve economic growth through a combination of retaining and supporting existing businesses to expand, attracting new ones by reducing barriers to entry in certain sectors and enabling more flexible working for employees.
- 4.2 Funding offered by BDUK to Swindon offers an opportunity to improve superfast broadband connectivity to a level that seems set to be the norm across the country in the next 2 – 3 years. On this basis, it appears to be in the interests of the Borough that Swindon continues to indicate its willingness to participate in the next phase of the Programme. It is therefore proposed that the Board Director Resources submits a request for funding by the deadline of 30 June 2014.
- 4.3 The figure of £1.5m that is available for the Borough of Swindon is significantly higher than the previous allocation and, consequently, the potential area of coverage will be much higher. Consequently, however, the level of financial contribution required from the Council to match the BDUK allocation is also significantly greater.
- 4.3 In addition to the sum required for capital investment, experience from other areas that are already participating in the BDUK programme suggests that additional resources will also be required to establish a contract with a delivery partner for the infrastructure and thereafter to manage the relationship with

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them and with the public. An estimate of the likely costs is included in the table below.

Table 1 – Likely Revenue Resource Requirements

	2014/15	2015/16	2016/17	Comments
	£'000	£'000	£'000	
Additional Internal Resource				
Project Resource	30	50	50	1 FTE from July 14
Admin Resource	7	20	20	0.5 FTE from November 2014 0.5 FTE for 6 months during procurement procedure.
Procurement Resource	25	0	0	Assumes no ongoing support
External Resource				
Consultation	3			Mandatory public consultation work
Demand Stimulation	5	10	10	Mandatory marketing and 3rd party work. Additional funds could possibly come from ERDF.
Technical Advisors	10			Writing ITT spec and evaluation of responses
Legal Advisors	36			Supporting procurement and contractual work
TOTAL	116	80	80	
CUMULATIVE		196	276	

- 4.4 In total, therefore, the financial commitment associated with joining the Programme and matching the full sum available from BDUK would be £1.78m over the 3 years to 2016/17. The majority of the capital spend funded by the Council would fall in the years 2015/16 and 2016/17, with the grant funding being used in the first instance. With £0.24m already available within the approved capital programme, the additional sum needed would be £1.54m.
- 4.5 Although a detailed assessment has not yet been undertaken, at this stage there appears to be a good case for this expenditure to be linked to the Infrastructure Fund established by Council in February 2014. As set out above, investment in the technical infrastructure of the Borough would help attract new technology businesses as well as fulfilling the demand of current businesses and residents.
- 4.6 An additional funding source that could assist would be EU grants that will come through the Swindon and Wiltshire Local Economic Partnership (SWLEP). The funding request submitted by the SWLEP referred to the

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Superfast Broadband Extension Programme, although the allocations will not be known until later in the year.

- 4.7 Pending any additional funding sources being identified, it is recommended that Cabinet earmarks a sum of £1.54m from the Infrastructure Fund to support participation in the programme, noting that only a relative small sum will be required in the current financial year.

5. Procuring a Delivery Partner

- 5.1 The Council would receive support from BDUK around the process to procure and contract with a delivery partner. They have made available to us a standard suite of documents and officers are working through these to ensure they reflect Swindon's situation.

- 5.2 A key decision to make is whether to use the BDUK framework for our procurement. This is a well-tested route and was the one used previously when working with Wiltshire. On this basis, it would offer a speedier route to appointment, typically taking around 24 – 26 weeks. Against this, however, the only company that has won work through this process is BT. Therefore, it is more difficult to evidence that value for money is being achieved. Moreover, the Council would be limiting itself to a single technical solution, when there may be others in the market that could also fulfil the overall objective of enhancing Superfast Broadband coverage across the Borough.

- 5.3 A number of authorities, most notably Manchester, have run an open procurement process. Officers are liaising with these organisations to understand the impact of going down this route and, should Members choose to do so, to learn from the documentation that they have already produced. Early indications are that the procurement process could take up to 10 weeks longer.

- 5.4 There are a number of issues to consider in taking an open market approach, most notably ensuring that there would be consumer choice around internet service providers. Equally, the potential for public bodies to access the network to enhance mobile working arrangements would be a consideration.

- 5.5 It is quite possible that an open market process could result in BT being successful. However, for the reason of demonstrating value for money alone, it is recommended that this approach be taken. Notwithstanding the results of this process, the council will continue to encourage investment in other technologies, such as 4G, where these can deliver better connectivity and choice to maximise coverage.

6. Next Steps

- 6.1 If Cabinet agrees to participate in the Superfast Broadband Programme, the first step will be to submit a Request for Funding to BDUK. On approval of this

Superfast Broadband Extension Programme

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request BDUK will match fund our capital contribution giving a total capital pot of £3m, before any private sector contribution is added by the delivery partner.

- 6.2 After the submission of the Request for Funding we will conduct an Open Market Review. This exercise will gather information about the current, and planned, broadband infrastructure in Swindon. The responses will be used to map the non-commercially viable 'intervention areas'. In accordance with State Aid rules we can only operate within these intervention areas. The intervention maps will be made available in a 30 day public consultation exercise.
- 6.3 The procurement exercise to identify a commercial partner will commence in September 2014. After contracts are agreed, roll-out of the technical solution would be completed in phases starting in Summer 2015. It is expected that the public funding will be combined with a significant contribution from the commercial partner to give the overall project capital budget.

7. Alternative Options

- 7.1. Cabinet could decide not to participate in the Superfast Broadband Extension Programme at all or to participate through the BDUK framework agreement, which would mean the only provider would be BT.

8. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 8.1. The financial implications have been reflected in the body of the report.

Legal and Human Rights Implications

- 8.2. All legal and human rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.

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

- 8.3. There are no such direct implications.

Diversity Impact Assessment (DIA)

- 8.4. A Diversity Impact Assessment (DIA) has not been done as this report does not make any new recommendations that would have a detrimental impact on services. Any procurement process undertaken as a result of the recommendations in this report would ensure that all equalities issues are taken into account.

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9. Consultees

- 9.1. The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

10. Background Papers and Appendices

None

11. Key Decision/Decision in Forward Plan

- 11.1. This is a key decision and has been included in the Cabinet Work Programme / Forward Plan for June 2014.

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Swindon Sports Strategy 2014 - 2017

Cabinet

Date: 25th June 2014

Author:	Cabinet Member for Corporate Services and Leisure Board Director, Service Delivery
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 Given that there was no strategic framework for the development of sport, a draft Swindon Sports Strategy was written and considered by Cabinet on 11th September 2013. It was agreed to undertake consultation to seek views of the public and those interested in sport on the draft Strategy, in partnership with the Swindon Sports Forum and Wiltshire and Swindon Sport (Cabinet Minute 44(2) 2013/14 refers).
- 1.2 This report outlines the results of the consultation and seeks the adoption of a Swindon Sports Strategy that reflects, as far as possible, the comments and views received during the consultation. Although the deadline for the consultation was in January 2014, every effort has been made to adhere to the key principles set out on the Council's Consultation Policy, which the Cabinet approved in February 2014 (Cabinet Minute 89(1) 2013/14 refers). It is also important that this report is considered in conjunction with another report on the Cabinet agenda regarding the Leisure and Culture Change Programme.
- 1.3 The Sports Strategy is closely aligned to the One Swindon Priority, "Everyone is enjoying sport, leisure and cultural opportunities". It will particularly deliver against the following outcomes: "Improve health and wellbeing for all by increasing and widening participation in sports, leisure and culture" and "More young people are supported to take part in sports, leisure and culture". There is a clear link between the development of sport and adult and children's social care, thereby enabling children, adults and those who face barriers to participation to live more independent, active and therefore healthy lives. Successful delivery of activities within the Strategy will also contribute to a number of other priorities and outcomes, including, "Increased community involvement, so that everyone is able to make a positive contribution" and "We can all benefit from a growing economy".

Further information on the subject of this report can be obtained from Ian Bickerton, 465724, ibickerton@swindon.gov.uk.

Swindon Sports Strategy 2014 - 2017

Cabinet

Date: 25th June 2014

2. Recommendations

Cabinet is recommended to:

- 2.1 Note the results of the consultation set out in detail in **Appendix 1**, and the changes that have been made to the draft Strategy as a result of the comments and views received attached as **Appendix 2**.
- 2.2 Subject to any changes Cabinet wishes to make, adopt the Swindon Sports Strategy 2014 – 2107 attached as **Appendix 3**, in partnership with the Swindon Sports Forum and Wiltshire and Swindon Sport.
- 2.3 Authorise the Board Director, Service Delivery, in consultation with the Cabinet Member with portfolio responsibility and partner organisations, to progress those elements of the Swindon Sports Strategy that are within the remit of the Borough Council.

3. Detail

Background

- 3.1 The Cabinet previously considered a draft Swindon Sports Strategy that had been developed in partnership between Swindon Borough Council, Swindon Sports Forum and Wiltshire and Swindon Sport (Minute 44, 2013/14 refers). A key aim of the draft Strategy is to ensure the delivery of a well-structured and progressive pathway of opportunity in sport. This has been inspired by the London 2012 Olympic and Paralympic Games and is very relevant to this summer's Commonwealth Games and World Cup.
- 3.2 The draft Strategy has been developed to provide a link between the Sport England Strategy 2012/17 and the One Swindon partner priorities, to offer support to Swindon sports clubs, and to act as a catalyst to stimulate and secure external investment. It is also aimed at enhancing the already strong sporting infrastructure within Swindon by providing real opportunities for residents and communities to break down barriers and make sport welcoming, accessible and easy to begin and enjoy. A key element of this is the third sector, in particular, the Sports Forum, and also Wiltshire and Swindon Sport playing an increasingly prominent role in sports development in Swindon.
- 3.3 Over many years, Swindon has deservedly earned the reputation as one of Britain's sporting pioneers. Through the development of innovative and ground breaking facilities, and the provision of welcoming and developmental community sports opportunities, the Borough has not only encouraged many thousands of people to take up sport but has also provided a vibrant environment, enabling those with talent to fulfil their potential.

Further information on the subject of this report can be obtained from Ian Bickerton, 465724, ibickerton@swindon.gov.uk.

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- 3.4 Cabinet agreed that consultation should be undertaken to seek the views of the public and those interested in sport on the draft Strategy, and this to be undertaken in partnership with the Swindon Sports Forum and Wiltshire and Swindon Sport.
- 3.5 The consultation ran from 5th November 2013 until 5th January 2014 and was primarily through an online (or hard copy) questionnaire accessible on both the Swindon Borough Council and *LeisureinSwindon* websites. The questionnaire was also sent to national governing bodies, local sports clubs and other interested organisations and bodies.
- 3.6 In addition, there was a further presentation and discussion at the meeting of the Sports Forum on 11th November 2013. The results of the questionnaire were also discussed at a meeting of the Sports Forum Steering Group and these included a representative of Wiltshire and Swindon Sport.
- 3.7 Staff from Wiltshire and Swindon Sport also spoke directly with officers from a number of the National Governing Bodies.

Outcome of Consultation

- 3.8 The outcome of the consultation is set out in detail in **Appendix 1** attached.
- 3.9 In brief, 179 responses were received to the consultation, with about two-thirds of those participating living locally and three-quarters active participants in local sports. Local clubs formed a significant proportion of the response and there were also a number of contributions from representatives of national governing bodies.
- 3.10 Responses were received from a wide range of local sports, with significant contributions from cycling, football and swimming. Two sports – American football and field hockey – accounted for almost half of the total responses and care has therefore been taken to examine the impact of this uneven distribution on the overall results.
- 3.11 Most of the suggested aims in the draft Strategy attracted wide support, and particular importance was attached to encouraging young people to take up sport, to supporting those who made sport happen and to infrastructure and facilities. Respondents were less clear about the importance of Swindon as a premier sporting destination or the contribution of sport to the local economy.
- 3.12 Respondents agreed that the constraints on funding were likely to have a major impact on sport locally, and acknowledged the opportunities offered by the Olympic legacy and forthcoming major sports events in the UK.

Further information on the subject of this report can be obtained from Ian Bickerton, 465724, ibickerton@swindon.gov.uk.

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- 3.13 Both the Vision and the Mission articulated in the draft Strategy attracted strong support, with the Core Values were also endorsed. There was particular agreement on the need for sports to be enjoyable and welcoming to all those who wished to take part.
 - 3.14 The use of the “Podium” (Gold/Silver/Bronze) approach to select certain sports for focused support has proved more controversial. Respondents were concerned about their perceived lack of involvement in the original discussion between the three partners and about a perceived lack of transparency. They endorsed the criteria linked to participation and local presence but were less enthusiastic about criteria linked to heritage and economic impact.
 - 3.15 Nevertheless, there is widespread agreement with the selection of athletics, cycling and swimming as ‘Gold’ sports but less so with some other sports that could be perceived as more of a “leisure” activity. Among sports classified as ‘Silver’, badminton and basketball were strongly endorsed, as were cricket and tennis.
 - 3.16 There is significant agreement that the selection of “Podium” sports should be reviewed every two years. Some sports that were not currently selected in the draft Strategy expressed disappointment at the partners’ apparent lack of interest in minority sports, including some that are highly successful.
 - 3.17 Whilst views on the draft Strategy are generally positive, the main challenges presented are the selection of some sports ahead of others and also the lack of an Action Plan or Statement as to how the draft Strategy’s ambitions would be delivered. There were also some concerns raised about the absence of specific measures to support disability sports or specialised disabled sports.

Response to Consultation

Much of the outcome of the consultation was therefore positive. For example, the vision, mission, aims and core values of the draft Strategy were widely supported, particularly the focus on encouraging young people to take up sport. There was also recognition of the increasing pressure on resources, and the need for sport to be welcoming to attract as many people as possible to participate.

- 3.18 Given the concerns about the Podium approach, there has been considerable debate by the three partners, both individually and collectively, on what approach might work more effectively and how these concerns might be met. As a result, it has been agreed between the three partners that the Podium approach will be modified, with the key features now as follows:

Further information on the subject of this report can be obtained from Ian Bickerton, 465724, ibickerton@swindon.gov.uk.

Swindon Sports Strategy 2014 - 2017

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- 3.18.1 There will be two levels of support to sports – ‘Enhanced’ (currently Gold) and ‘Core’ (currently Silver/Bronze). This may well also be more deliverable by the three partners, taking account of the reducing level of capacity and resources available in the future. There will also be scope built in to support an emerging sport to potentially make the transition from ‘Core’ to ‘Enhanced’;
- 3.18.2 The sports identified through the original assessment process involving the three partners will initially be assimilated into these two new levels.
- 3.18.3 A Swindon Sports Partnership Board will be developed that will comprise up to three representatives from each of the three partners, and be open for any member to attend as an observer and with the opportunity to speak. The partner membership could later be expanded if the Council decided to appoint a new Leisure provider.
- 3.18.4 The proposed process for regularly reviewing the mechanism and assessment of the Enhanced and Core sports will be as follows:
- Each year, there will be a ‘refresh’ of the Strategy by the Board, which could lead to a review if there are any significant developments that warrant it, or if not, it will be rolled on for another year,
 - Every two years, there will be a review of the mechanism and assessment of sports by the Board. The next one will therefore be no later than 2016, and
 - In 2017, the Board will consider whether the overall Strategy for 2014/17 is working effectively. Subject to the agreement of the three partners, the Strategy can either be extended for a further period of time or a different way forward can be recommended.

These and other changes, which reflect as far as possible the outcome of the consultation, have been made to the revised Sports Strategy and this is attached as **Appendix 3**. Individual Delivery Plans will subsequently be developed for each of the ‘Enhanced’ sports.

Next Steps

- 3.19 The Sports Forum and Wiltshire and Swindon Sport both support the attached Strategy and the changes recommended. If the Strategy and the changes made are now supported by Cabinet, the three partners will work together, as a Swindon Sports Partnership Board, to deliver the Strategy to offer a progressive pathway of opportunity to sport for residents and communities in Swindon.

Swindon Sports Strategy 2014 - 2017

Cabinet

Date: 25th June 2014

4. Alternative Options

- 4.1 The Cabinet could decide not to adopt a Swindon Sports Strategy and attempt to improve or enhance sports development without a detailed, overarching framework with which to co-ordinate efforts. However, it is difficult to see how this approach could be successful, defining what is needed with reducing resources over the coming years, or the aims and objectives set out in the proposed Strategy attached.

5. Financial Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no direct financial implications relating to this report. However, the implementation of the draft Strategy will require officer time, in conjunction with key partners, including the Swindon Sports Forum and Wiltshire and Swindon Sport. By developing a Sports Strategy for Swindon, it should ensure that Swindon is in a better position to bid successfully for external funding.

Legal and Human Rights Implications

- 5.2 Legal and Human Rights implications have been taken into account in the drafting of this report. It is considered that the report and its recommendations are compatible with Convention rights, and are in accordance with Section 19 of the Local Government (Miscellaneous Provisions) Act 1976.

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

- 5.3 The Swindon Sports Strategy is aimed at developing sports in Swindon over the coming years and ensuring that sports organisation and clubs play an increasingly prominent role. As the Leisure and Culture Change Programme develops, there will inevitably be reducing officer capacity to support the Strategy and, therefore, organisations such as the Sports Forum are being encouraged to play an increasingly prominent role within the Borough.
- 5.4 Officers, working with partners both within and outside the Council, will also help to drive forward the Strategy. Collaborative working around the framework provided by the Sports Strategy is the key to its success. Significant external funding has already been received over the last two years, which is focused on improving health and particularly supporting more deprived communities. Examples include the Youth Sport Swindon project and the Tri-Active project.

Swindon Sports Strategy 2014 - 2017

Cabinet

Date: 25th June 2014

Diversity Impact Assessment (DIA)

- 5.5 The Sports Strategy is aimed at inclusivity and supporting people to participate in sport and leisure. As indicated in paragraph 3.2 of the report and elsewhere, this will be achieved '...by providing a progressive pathway of opportunity for residents and communities to break down barriers and make sport welcoming, accessible and easy to begin and enjoy'.
- 5.6 The Strategy also links into research carried out as part of the Leisure and Culture Change Programme and reported to Cabinet in March 2013, about how residents can be supported to remain fit and healthy, and how increased participation can be enabled.
- 5.7 At this stage, it is not envisaged that there will be any equality issues arising directly from the Sports Strategy. However, individual Delivery Plans will be developed for each of the 'Enhanced' sports. This process will include identifying whether there is a requirement for DIAs to be prepared and/or if there are any particular equality implications and how these are addressed. It will also address some concerns raised in the consultation about specific measures to support disability sports and specialised disabled sports.
- 5.8 In addition, the scoring process used includes an assessment criterion based on the impact on equality groups of different sports, as set out on page 11, paragraph 6 of the Strategy attached as **Appendix 3**. Further details of the initial scoring carried out can be found in the first two detailed appendices to the Strategy (see page 17).

Risk Management

- 5.9 The main risk of the Sports Strategy is that it is not widely adopted and supported by the various groups, organisations and clubs in Swindon. This would restrict the effectiveness of the Strategy, particularly as an opportunity to maximise scarce resources and strengthen external funding bids. For the Strategy to be a success, it is also vital that it is regularly monitored and reviewed by the key partners: Swindon Borough Council, the Sports Forum and Wiltshire and Swindon Sport.
- 5.10 The Leisure and Culture Change Programme is likely to have an impact on officer capacity to work with voluntary sector sports clubs. Another report on the Change Programme is attached to the Cabinet agenda which sets out the latest information and implications.

6. Consultees

- 6.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.
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Further information on the subject of this report can be obtained from Ian Bickerton, 465724, ibickerton@swindon.gov.uk.

Swindon Sports Strategy 2014 - 2017

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Date: 25th June 2014

- 6.2 As indicated in this report, wide consultation has been carried out to seek the views of residents and those interested in sport.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 – Results of the Consultation

- 8.2 Appendix 2 - General changes to the strategy and the amendments as a result of the consultation

- 8.3 Appendix 3 – Proposed Swindon Sports Strategy 2014 – 2107

All the Appendices to the Sport Strategy (listed on p17 Appendix 3) can be found here <http://www.leisureinswindon.co.uk/swindon-sports-strategy/>

(Note: the Draft Sport Strategy on the Website to be replaced, subject to Cabinet approval on 25th June, 2014)

9. Key Decision/Decision in Forward Plan

- 9.1 This is a Key Decision and is included in the Cabinet Work Programme and Forward Plan for June 2014.

Future Direction of the Capita Partnership

Cabinet

Date: 25th June 2014

Authors: Cabinet Member for Finance, Cabinet Member for Corporate Services and Leisure and Board Director, Resources

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1. This report sets out the proposed changes for services provided under the Council's strategic partnership with Capita.
- 1.2. It recognises that the financial and other challenges that face the Council in 2014 are substantially different from those it with which it was dealing in 2007.
- 1.3. These recommendations contribute towards the corporate priority of consistently making best use of all available resources.

2. Recommendations

Cabinet is recommended to:-

- 2.1. Note the success of the partnership in supporting the Council with its transformation as set out in more detail in paragraphs 3.4 to 3.5;
- 2.2. Authorise the Board Director, Resources to negotiate the return to direct Council management of the following services currently provided by Capita:-
 - Business Support
 - Customer Services
 - Finance Administration
 - Human Resources and Payroll Administration
 - Print and Logistics
 - Partnership Management
- 2.3. Maintain the Revenues and Benefits service within the Partnership under broadly similar arrangements that are currently in place as at June 2014;
- 2.4. Agree the proposed ICT Strategy 2014-2019 set out in Appendix 1 to this report as the basis for renegotiating the ICT service to remain within the partnership to create a modernised, more resilient and financially sustainable service, subject to a satisfactory position being reached on commercial and service delivery arrangements;
- 2.5. Authorise the Board Director Resources, in consultation with the Cabinet Member for Finance, and the Cabinet Member for Corporate Services and

Future Direction of the Capita Partnership

Cabinet

Date: 25th June 2014

Leisure, to conclude negotiations with Capita for the future provision of ICT services, within the parameters set out in this report;

- 2.6. Authorise the Board Director Resources to spend up to £3m of one-off monies over and above the 2014-15 Budget for services within the Partnership to partially terminate the partnership agreement to realise 2015-16 on-going savings of around £2m per annum excluding ICT services;
- 2.7. Authorise the Director of Law and Democratic Services in consultation with the Cabinet Member for Finance, the Cabinet Member for Corporate Services and Leisure, and the Board Director Resources, to enter into the relevant documentation to give effect to the proposals set out in this report, on such terms as he considers necessary to protect the Council's interests.

3. Detail

Partnership Overview

- 3.1. The Swindon Capita Partnership provides services to the Council for Customer Services, Business Support, ICT, Finance Admin, HR and Payroll, Revenues and Benefits, Print and Design and Post Room and Logistics. The Annual Service Charge for these services is £14.1m. The 15 year contract began on 1st February 2007 and the initial forecast spend was circa £243m for the contract period.
- 3.2. The Council is now mid-way through the contract period and within that context, the Leader asked officers to undertake a review of the services provided through the Partnership. An expectation was set by Members that more innovative solutions should be considered over and above existing service tweaks and have set a minimum on-going savings target of £2m pa from 1st April 2015 from services provided or partly provided through the Partnership.

Context

- 3.3. The Council entered into a partnership with Capita in February 2007 to achieve the objectives agreed by Cabinet on 18th October 2006 as follows:-
 - Deliver a rapid and sustainable transformation in services to enable our corporate vision and plan which places the Customer at the heart of everything that we do
 - Contribute significantly to the delivery of our 50 promises
 - Bring new economic opportunities and investment to Swindon
 - Deliver services in scope for the partnership:
 - which offer more to our Customers than we currently provide
 - at levels of performance and availability that are higher than current
 - Deliver sustainable efficiencies to reduce operating costs to assist delivery of the Council's challenging Medium Term Resourcing Plan
 - Deliver significant and sustainable longer term cost efficiencies

Further information on the subject of this report can be obtained from Kirsty Cole on Direct Dial No. 464610 or Email kcole@swindon.gov.uk

Future Direction of the Capita Partnership

Cabinet

Date: 25th June 2014

- Deliver an efficient and effective business services platform that can be shared with the Council's LAA partners and other public and private sector partners.
- 3.4. The Partnership has been successful in delivering the desired objectives and in particular has:-
- Delivered on infrastructure investment in the early years of the Partnership
 - Brought a new level of robustness around transactional work
 - Created the One Stop Shop and Contact Centre
 - Turned the Revenues and Benefits service from poor to good
 - Delivered financial savings to the Council
 - Delivered a showcase account and profitable contract for Capita.
- 3.5. In particular the Partnership helped the Council during its early years transform its back-office and customer facing services and support its transformation into a much more efficient high-performing authority.

Recent Trends

- 3.6. Changes within the Council have led us to review the future direction of the Partnership. In particular, following the reintegration of services back into the Council from Swindon Commercial Services Limited (SCS) on 1st November 2013, the Council has similar back-office services operated from its Waterside Depot and within the Capita Partnership and also has other support functions across its wider Council structure. In total, there are around 535 posts across the three areas as follows:-
- Waterside former SCS services - 87
 - Capita - 257
 - Other Council services – 191
- 3.7. Across these three areas, some services are provided mainly from a single point and others are spread across all three.
- 3.8. From an efficiency perspective, it is not cost effective to provide services in a fragmented way. More importantly, it has become very clear following the transfer of services back into the Council at Waterside that service quality could be significantly increased through changes and improving the link between front-line services and their support functions. The Council is keen to redesign services from a customer perspective and, following the insourcing from SCS, has found that it has increased flexibility to do this at pace when the staff and services are all managed by a single employer.
- 3.9. In addition, as the partnership has matured, the Council has become less reliant on Capita for its transformation by developing skills and expertise within the organisation and has become very strong at delivering annual cost savings and driving service transformation from a customer perspective itself. This

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has led to senior leaders within Capita playing a less extensive role in shaping the future direction of the Council and, partly as a result of this, Capita has used the expertise it has developed in Swindon to help it win and sustain successful contracts with other Councils.

- 3.10. Thirdly, in recent years the Council's links with other public sector partners has increased. To date, some organisations have expressed an appetite to explore joining up back office services with the Council but have been reluctant to explore the movement of their services into the Capita Partnership. Therefore, if the Council wishes to explore the provision of joint back-office services with other public sector organisations, it is likely that those services would need to come out of the Capita Partnership.

Financial Performance

- 3.11. The Partnership has generally performed well in financial terms for both Capita and the Council. The contract has enabled the Council to achieve savings on the cost of services both at the start of the Partnership and through joint working in previous years.
- 3.12. During the early years of the partnership, the level of profit earned by Capita was modest but the partnership acted as a platform to enable the Company to successfully secure similar contracts with other Councils. However, during the last 12 – 18 months, the level of profit earned by Capita has increased. Despite joint efforts across both sides of the Partnership, the level of recent savings achieved for the Council has been significantly lower than the Council now needs.
- 3.13. In principle, the Council is supportive of Capita making profit from Council services as this has traditionally been driven from economies of scale with other public sector contracts it manages and through skills and expertise not available within the Council. However, as the Council has become less reliant on input from senior managers within Capita to drive its agenda, over time it has become even less reliant on the Partnership for some services. Therefore, the Council is asking questions over whether the difference in the cost of services and the amount the Council is paying for them including the Capita profit is still delivering value for money.

Proposal

- 3.14. As a result of the following key issues, Members are recommended to return direct control of some services to the Council from Capita:-
- 3.14.1. The reintegration of services from SCS had evidenced that end-to-end service redesign has proved to be quicker and less complex when the services and staff are managed solely by the Council;

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- 3.14.2. There are similar services being provided within Capita, Waterside and in other parts of the Council and it is felt that stream-lining services into a single operating model would be more efficient;
- 3.14.3. Expertise and skills at running efficient services and driving on-going savings has significantly increased within the Council since 2007;
- 3.14.4. The availability of strong, high-calibre senior managers solely focused on Swindon's needs has significantly reduced within Capita in recent months;
- 3.14.5. To give the Council options around future joint delivery of services with other public sector partners, it is felt that services need to be taken out of the Capita Partnership.

Proposed Services to return to Direct Council Control

- 3.15. For the reasons set out above, Members are recommended to approve that the following services are insourced from Capita and reintegrated back into the Council with an on-going annual savings target of £2m per annum from 2015-16.
 - Business Support
 - Customer Services
 - Finance Administration
 - Human Resources and Payroll Administration
 - Print and Logistics
 - Partnership Management
- 3.16. The Council recognises the disruption felt by staff with a change of employer and is very keen to ensure that staff feel they are transitioned back into the Council well. Therefore plans are in place to ensure the transition is a positive experience for them and funding has been allowed for within the expected on-going cost of services to support this work
- 3.17. Both the Revenues and Benefits and ICT services are largely provided by Capita and make up the biggest elements of the annual service charge (66%).

Revenues and Benefits Service

- 3.18. The Revenues and Benefits service has been outsourced since November 1999 and, other than a very thin client, the Council does not have the expertise or infrastructure to run the service in-house. The requirement to invest in a computer system and the loss of the benefits of being part of a wider organisation that provides the same service to many clients leads us to believe that direct control of this service would be more expensive and practically difficult to achieve in the short-term.

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- 3.19. Capita has moved the service from low level of performance to good and the Council would incur considerable cost should the service be taken back to market. On that basis, it is recommended that the Revenues and Benefits service remains within the Capita Partnership.

ICT Service

- 3.20. Capita provides ICT services to a number of partner organisations as well as the Council and therefore, again, the infrastructure and expertise for this service mainly sits within the Capita Partnership. The Council depends critically on its ICT systems and infrastructure, but the service has lacked direction in recent years for its on-going development and alignment to the needs of the Council. In addition, the service being delivered is not consistently in line with customer expectations.
- 3.21. Both Capita and the Council acknowledge that this service does need modernising and improving and the Council has engaged an Interim Head of IT Strategy to develop a proposed approach for the medium-term. The proposed ICT Strategy for Swindon Borough Council, set out at Appendix 1, has been developed following a fundamental review of the current arrangements and performance of the ICT service and through discussions with a range of key stakeholders. The strategy proposes a significant change in the approach to ICT, aimed at improving the value for money derived from the investment in ICT, and at reducing the overall cost of ICT to be more in line with that of other councils.
- 3.22. Some of the recommendations are technical in nature:
- 3.22.1. Rationalising the population of servers and migrating as far as possible to a cloud based solution to reduce cost and support requirements, and improve flexibility (able to cope easily with changes in demand).
 - 3.22.2. Moving to a virtualised desktop environment to reduce overall cost, and enable secure mobile working, home working, and the increasing need to allow for "Bring Your Own Device" - necessary for more effective joint working.
 - 3.22.3. Upgrading to Windows 7 in the process of moving to a virtualised environment.
 - 3.22.4. Reviewing and upgrading the Wi-Fi provision across the council estate.
 - 3.22.5. Rationalising the multiple telephone/communications systems in use to reduce cost and improve value for money.
- 3.23. Others are more focused on business outcomes:
-

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- 3.23.1. Enabling a more complete realisation of smart working through development of the virtualised desktop, rationalisation of communications, introduction of electronic records and document management (below), and introducing collaborative working and conference tools.
 - 3.23.2. Introducing a corporate-wide electronic document and records management system to reduce the dependency on paper, enable smarter working, and support the use of the web for customer service.
 - 3.23.3. Replacing the website Content Management System and Customer Relationship Management System both to enable more effective and rationalised customer service and to reduce cost.
- 3.24. Finally, some are focused on improving the governance and management of IT to ensure that ICT delivers business benefit:
- 3.24.1. Creating an overarching ICT Governance Project Board, under the Cabinet Member for Corporate Services and Leisure comprising senior officers and Members to “own” the strategy and ensure its implementation.
 - 3.24.2. Creating similar boards at officer level for web, information management, and customer service, to ensure these are being developed within the agreed strategic framework.
 - 3.24.3. Centralising the in-house ICT and ICT-related staff under a Head of Information and Technology role, to improve the overall effectiveness of the staff; including information management in this function.
 - 3.24.4. Reviewing the value for money derived from the ICT partnering agreement, with a view to renegotiating on more favourable terms.
- 3.25. Work is continuing with Capita to assess the financial implications of adopting the proposed strategy, including expected on-going cost reductions in the IT service of around £1m that this will help secure. It is hoped that a satisfactory conclusion can be reached on both the commercial terms and delivery arrangements of a reshaped service that would enable it to remain with Capita, however more work is needed in this regard. Cabinet is asked at this stage to confirm its support for the proposed ICT Strategy 2014-2019 in order to enable negotiations to continue within the context of an agreed strategic approach for the service.

Timescales

- 3.26. Should the recommendations within this report be agreed by Cabinet, then (subject to the scrutiny process) notice will be served on 1st July 2014 with a targeted transfer date of 1st October 2014.

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- 3.27. Discussions around the reshaping of the ICT service are well underway and it is hoped that any contractual changes required linked to this will also be concluded within similar timescales.

Communications

- 3.28. Due to the nature of the services provided within the Partnership, large parts of the Council and its staff will be affected by the transfer. A detailed communications plan has therefore been drawn up and will be mobilised directly following the Cabinet meeting.

Involvement of Capita

- 3.29. Due to the proposed direction of travel for the Partnership, Capita have not been fully involved in exploring the future direction of the Partnership and this has instead been undertaken by senior officers within the Council. As a result, the targeted levels of savings as a result of the proposed changes are a comparison to the current cost of services, rather than a comparison to the cost of a re-priced service by Capita.
- 3.30. Discussions have taken place between the two parties and, as an alternative to recommendation 2.2 within this report, Capita has offered to work with the Council to reshape and re-price all services within the Partnership and officers predict that this would have delivered savings to the Council over a longer period of time. However, due to the wider reasons set out in paragraph 3.14, the Council's previous experience of the Partnership and the need for greater flexibility and pace, it is recommended that this offer is not pursued. It is the strong belief of officers that the benefits would not be as great to the Council as those available through insourcing the services and therefore, recognising the scale of wider challenges within the Council it is not recommended that senior officer time is spent pursuing this opportunity.
- 3.31. Throughout discussions to date, despite disappointment over the proposed direction of travel for the Partnership, Capita colleagues have been extremely professional and helpful in supporting work to enable the financial and wider implications of the recommendations of this report to be drawn up.

Medium Term Developments

- 3.32. If approved by Members, and once the services have returned to the Council's direct management, it is proposed that a number of service improvements are implemented to integrate better the Council's back-office with front-line services and move to a stronger self-service staff model.
- 3.33. In addition, through no longer paying profit on the services, by integrating similar back-office services together and reshaping the ICT service, it is expected that around £3m can be taken off the current cost of services.

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4. Alternative Options

- 4.1. Members may choose to continue with the Partnership as it runs at present, to insource greater or fewer services or to ask officers to explore transferring more services into the partnership.
- 4.2. Cabinet could choose not to agree the proposed ICT strategy. An alternative approach would then need to be investigated, recognising that the current situation does not meet user needs and is more costly than would be expected based on benchmark information from similar organisations.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1. The 2014 annual service charge for the Capita Partnership is £13.8m in total which can be broken down as follows:-
 - ICT and Revenues and Benefits Service proposed to remain within the partnership - £9.6m
 - Other Services proposed to be insourced - £4.2m
- 5.2. The Partnership Agreement includes voluntary termination clauses for the whole contract but not for partial termination. As a result, if Cabinet agrees to the recommendations in the report, officers will need to negotiate the terms for partial termination. Based on discussions to date, it is expected that agreement will be reached within the following broad financial terms:-

Table Two – Financial Impact of Recommendations

	<u>One-Off Costs above 2014-15 Budget</u>	<u>Targeted 2015-16 On- going Savings</u>	<u>Payback Period</u>
<u>Insourced Services</u>	<u>£3m</u>	<u>£2m</u>	<u>18 months</u>
<u>ICT Services</u>	<u>£1m</u>	<u>£1m</u>	<u>12 months</u>

- 5.3. As part of closing the 2013-14 accounts, funding has been earmarked from other one-off resources on the Council's Balance Sheet for this purpose. On that basis, Members are recommended to approve that the Board Director, Resources should conclude negotiations around the insourcing of services and reshaping of the ICT services within an overall envelope of funding above the 2014-15 Budget of £4m. This will then allow the full inclusion of on-going savings in the Council's Budget from 2015-16.
- 5.4. Some aspects of service provision will be slightly more expensive for the Council than for Capita and these have been taken into account in arriving at

Further information on the subject of this report can be obtained from
Kirsty Cole on Direct Dial No. 464610 or Email kcole@swindon.gov.uk

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targeted savings from insourcing services of £2m. Additional areas of cost are expected to arise in the following areas:-

- Pension costs – to move staff on private pension plans into the Local Government scheme
- Pay costs – a number of staff employed by Capita are paid less than similar roles within the Council. The pay of these staff will therefore be increased to bring them in line with other roles within the Council.
- Management Costs – insourcing around 200 staff into the current Council structure will put pressure on existing senior leaders. It is likely that additional management costs will be incurred to manage the transitional period.

5.5. The targeted £2m on-going savings is expected to be achieved through a combination of the following:-

- Profit savings
- Amalgamating Council client manager and Capita service manager responsibilities
- Driving economies of scale across similar services currently provided from more than one location / employer
- Saving the current contribution towards senior Capita management and infrastructure costs.

Legal and Human Rights Implications

5.6. Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.

5.7. The insourcing of services will involve the transfer of around 200 staff from Capita back into the Council under the Transfer of Undertakings (Protection of Employment) Regulations 2006. As part of the process to insource services, the Council and Capita will consult with staff and ensure that they are supported through the transition.

5.8. The Contract does contemplate changes in services provided under the contract and does contain a 'change control' mechanism for that reason. As the over-arching terms of the contract will be broadly unchanged and the two largest services will remain within the contract, it is considered that this does not require a re-procurement of the services remaining within the contract and that the changes recommended within this report can be dealt with via a Change Control Notice to the original Partnership Agreement dated 31st January 2007.

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

- 5.9. There are no such direct implications.

Diversity Impact Assessment (DIA)

- 5.10. An internal Diversity Impact Assessment (DIA) will be drawn up to support the detailed work around insourcing services and understanding the impacts for individual staff groups.
- 5.11. No changes to the range of services received by external customers are recommended in this report and therefore a DIA has not been completed.

6. **Consultees**

- 6.1. The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

7. **Background Papers and Appendices**

- 7.1. Appendix 1 - Proposed ICT Strategy 2014-19

8. **Key Decision/Decision in Forward Plan**

- 8.1. This is a key decision and is included in the Cabinet Work Programme / Forward Plan for June 2014.

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ICT Strategy 2014 – 2019 - summary

Background

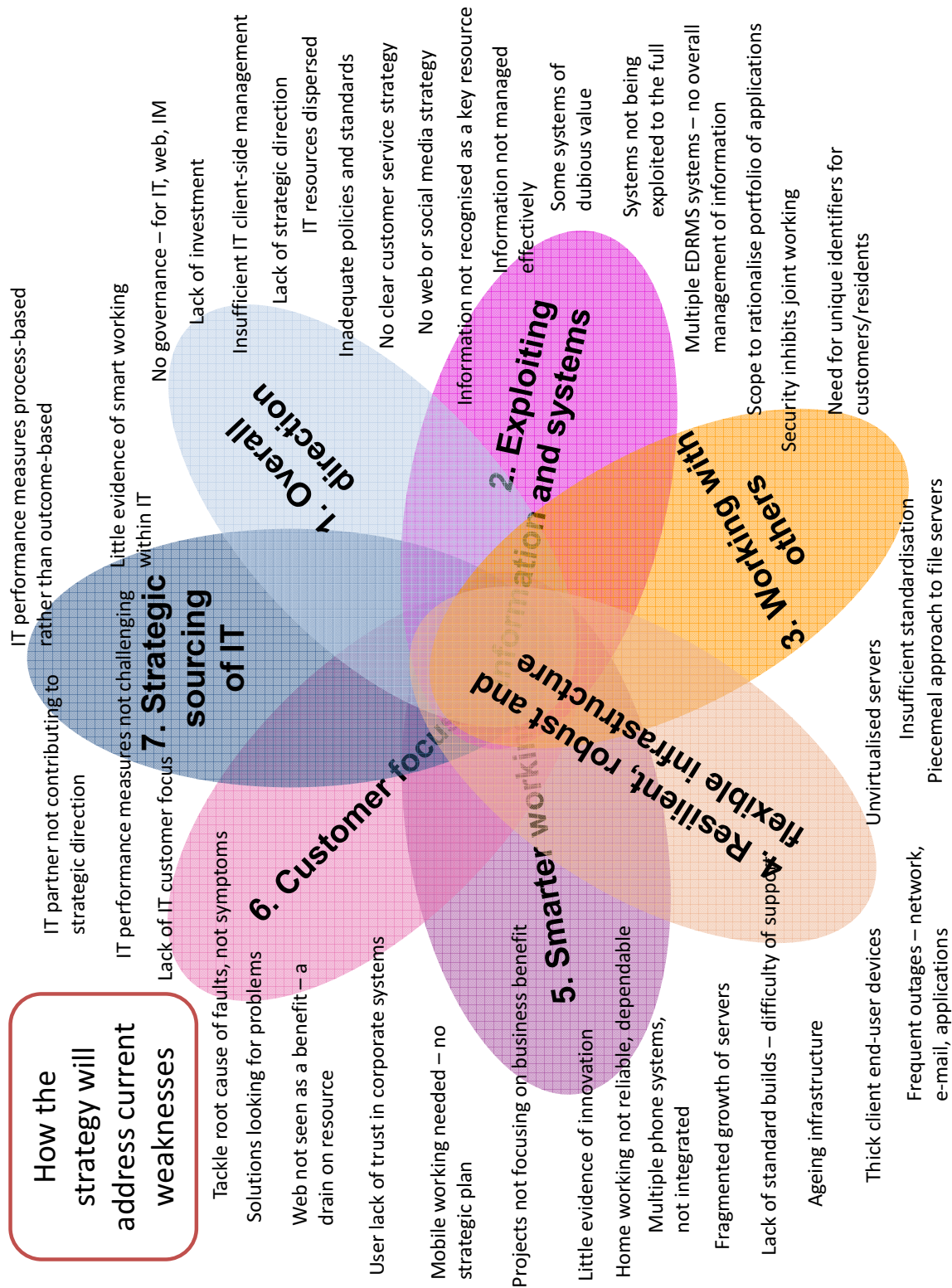
ICT is not currently serving the council well – various factors including a lack of strategic direction over several years have taken their toll. The current infrastructure is outdated and largely unstructured; it is inefficient to maintain and support, and there are some key gaps which place some of the council's information and systems at risk. Most importantly, the council is not reaping the benefit it should from its ICT – so overall ICT is seen as a net cost rather than a net benefit. The council spends more on its ICT than other comparable councils.

To remedy this, a five-year strategy for the council's ICT has been developed. Based on interviews with key staff throughout the council, and a review of the ICT service, it addresses the current weaknesses of the ICT service and focuses on supporting the council in the achievement of its strategic objectives over the next few years.

The strategy recognises that Swindon Borough Council is changing as an organisation, and as a result, its use of ICT needs to change. The council is becoming more of a commissioning and enabling organisation, and seeking to work more closely with communities, public sector partners and voluntary groups to achieve better outcomes for citizens and businesses in the area in more efficient and cost effective ways. This means the council increasingly needs to share information with other organisations and integrate its own information systems with those of other partners, in order to enable and support individuals and communities to take more responsibility for their own well-being, and to seek new and more efficient ways of matching individuals' needs to the services available.

The ICT landscape, too, is changing - virtual servers, structured storage and virtual desktop environments are becoming the norm and offer significant advantages in terms of total cost of ownership, security and flexibility. The use of a secure Cloud for data storage and to host and deliver software applications is becoming more commonplace, supported significantly by central government. Tablet technology has at last come of age. "Bring your own device" – the challenge of enabling employees and others to use their own devices to access corporate networks and information is now widely accepted within the security constraints of compliance with the Public Services Network. A national initiative will deliver high-speed broadband access to the internet throughout the country. Open Source software has also come of age – for web content and customer management, office suites, and for core products such as financial systems and document management systems.

ICT sourcing options are changing too – with a clear trend towards shorter, more focused contracts for ICT support and services, replacing the older, longer-term contracts, and a portfolio-based strategic approach to sourcing ICT.



The ICT strategy – 1. Overall direction

An ICT strategy will be produced annually, on a rolling five-year horizon – the first year in detail, future years in outline; overall objectives and outcomes specified, budget requirements identified

A Governance Board for ICT to be created (details on following page), to take ownership of the strategy and to ensure its implementation; decide priorities for resourcing ICT projects

Clear ground rules for ICT to be established and agreed by the Governance Board – for security, good practice, to assure business benefits from ICT and to be consistent with information governance policies and standards

Similar governance boards to be created for corporate website and for customer service (Information Governance Board already exists)

Recognise that the ICT landscape will change dramatically in the next few years – as migration to the Cloud increases. Hence contract for ICT support needs to change to reflect this, and to reduce in cost year by year.

Re-structure the in-house ICT staff to centralise the existing dispersed resources and provide a stronger and more focused direction to the development of ICT in the organisation. Appoint a Head of ICT strategy and information.

Review the funding of ICT within the council – to ensure that spend on ICT and the business benefits derived from it fall within the same budget.

Ensure that all spend on ICT is identifiable within the council's financial systems so that the overall cost can be monitored; all ICT expenditure to be authorised by the Head of ICT strategy and information.

Involve ICT at the earliest stages of all ICT-related projects, and ensure that the business benefits identified are achieved in practice.

The ICT Governance Board should consist of senior officials and elected members and should:

Work to recognised best practice such as IT Infrastructure Library (for ICT service management and delivery) and PRINCE2 (for project management)

Work in close collaboration with other governance boards in SBC – in particular for information governance (IG), security, web and customer service

Take responsibility for commissioning the annual ICT strategy, ensuring it addresses the strategic objectives and direction of the council, and ensuring that it is implemented

Agree an overall ICT work plan for the year, based on the demands of the ICT strategy and deciding on questions of priority where there is a conflict of resources; managing requests for additional ICT-related projects, ensuring these remain consistent with the strategy

The ICT strategy – 2. Information and systems

The ICT infrastructure to be re-designed to reflect the key role and importance of information to the council – by creating the right **structure**, the appropriate **systems**, backed by the necessary **resource**

Implement a well-architected **structure** for server and data storage, leading to a migration to the Cloud. Tackle the large volume of data which is currently unstructured and of uncertain value – de-duplicate the data and implement tiered storage so that older, less used data uses lower-cost, lower performance storage

Implement structured **systems** for managing information better – a corporate-wide electronic document and records management system (currently four separate systems in use), alternatives to email to improve efficiency and review applications to ensure value.

Resource the information management task effectively – recognise that information is one of the council's key resources (along with staff/skills, finance, and capital assets. Create an information asset register as first step towards a full information architecture

Continue to develop the spatial data resource, which is increasingly proving its value in supporting the council in its strategic objectives

Continue to develop clear policies and standards for information security and management – ensure completeness and enforcement

Develop the website to be the single source of information and service for customers – implement the website on a new, (Open Source) platform, and significantly re-design the content and structure to achieve this – this is expanded later

Key information on the council's customers is currently limited – the Customer Relationship Management System is not serving its intended purpose; review the current system and potentially replace it with a lower cost, more focused Open Source alternative, linked to or part of the revised web platform.

Review key applications in use in the council to ensure full value is being derived from them – some are not delivering their full potential; link this to the information asset register to create an information architecture – aiming to rationalise information and derive more benefit from it. Ensure a clear support level agreement exists for each application.

The ICT strategy 3. Working with others

Proposed changes to the infrastructure (well-architected server and data storage, virtualised server environment, virtualised desktop environment) will all facilitate joint working with others – with partner organisations and communities/individuals

Self-service on the website will support not only customers, but will enable communities and individuals to take more responsibility for their local areas by being able to use the web platform for community microsites, and to create forums for matching individuals' needs to services available locally

Use social media in a structured way – for outreach, engagement of minority or community groups, local democracy

Data mining capability (currently being developed for spatial data) will enable better directed services and will support joint working

The ICT strategy 4. Resilient, robust and flexible infrastructure

Server and data storage infrastructure - develop an overall architecture for servers and data storage (as referred to in 2 above) – to be a virtualised server environment, backed by a storage area network (or move to cloud base)

Migrate to the new architecture as existing servers fall due for replacement (a large number require immediate replacement)

Desktop environment - migrate to a virtualised desktop environment to replace the current thick-client. This will require investment in server infrastructure and software licensing (costs well established from other councils), but the long term benefits of lower total cost of ownership (TCO), greater flexibility, extension of life for existing end user devices, stronger security, ease of working with partners (and reduction in cost for Windows 7 upgrade)

Network infrastructure - review the network architecture – the capacity is generally satisfactory for current needs but may need some upgrading of older switches and some increase in capacity to cope with the introduction of records management and an increase in smart and mobile working; review Wi-Fi coverage in SBC buildings to bring all up to a consistent standard (needed for effective mobile working)

Revisit the possible development of Borough-wide Wi-Fi – for council use and public use – in the light of new government funding being announced

Replace the current Disaster Recovery arrangements (5 day response, limited cover) with a fully replicated/mirrored storage giving more immediate response and more complete coverage; strengthen the council's business continuity (BC) plans

Review printer/scanner deployment to optimise positioning and overall value for money (e.g. avoid multiple printer types in one location)

Data mining capability (currently being developed for spatial data) will enable better directed services and will support joint working; develop to include person-based data based on a unique person identifier

The ICT strategy 5. Smart(er) working

Smart working is only partly implemented in the council – opportunities to be taken for further benefits to be achieved

Virtualised desktop (proposed in 4 above) and EDRMS (see 1 above) will help – these will allow more flexible working, easier mobile and home working, and access to essential documents and records from any location

Continue to develop a solution to support mobile working in the short term, pending completion of the virtualised desktop

The proposed implementation of corporate EDRMS will reduce requirement for paper document storage

Rationalise the current telecommunications facilities – three unrelated telephone systems in use; main telephone system is obsolete and unsupported. Develop use of audio and video conferencing; unified communication

Examine options for alternatives to email – instant messaging, collaborative work-spaces, discussion forums – to be more efficient and more immediate than email, and when combined with EDRMS should reduce data storage required, and enhance personal productivity

Develop self-service for internal processes to reduce manual processes and staff intervention needed – e.g. for leave applications

Potential for Members to benefit – through adopting electronic means of receiving and accessing committee papers, use of tablets

Potential to streamline procurement processes through use of electronic procurement portal(s) – also presents a more modern image for the council

Develop a stronger focus on achieving business benefits from ICT-related projects – through more effective project management, insistence on positive business cases to support investment, and on benefits realisation. Stronger business analysis input to ICT projects.

The ICT strategy 6. Customer focus

Internal customers

Implement regular monitoring of customer satisfaction for internal ICT customers – seek to achieve a consistent year on year improvement – reflecting the combination of in-house and external ICT provision

ICT service to work to ITIL standards – recognised as the industry standard for ICT management and service delivery; currently well below this

Implement improvements to the service desk response to customer fault reports – demonstrate that root causes are being tackled, not just symptoms. The move to a virtualised desktop environment will enable direct swap-out of faulty equipment which will aid rapid response and will reduce staffing needed for technology support

Continue and develop business liaison visits – to bridge the gap between ICT and the business more effectively. Resource this with in-house business analysis staff, supported by staff from the ICT provider.

Implement a stronger focus on achieving business benefits from ICT – through more effective project management, the use of a clear methodology for supporting project management, insistence on business justification to support ICT investment, and on benefits realisation to ensure planned benefits are fully achieved

Manage expectations better – disseminate service standards for ICT service elements (e.g. how long to fix a PC); implement KPIs for all aspects of ICT service that reflect user experience

External customers

Tackle digital exclusion, design external facing systems (web etc.) around the customer; review back-office systems to ensure they provide a clear and efficient end-to-end customer service delivery, implement a fit-for-purpose customer relationship management system

The ICT strategy 7. Strategic sourcing of IT

The current length of ICT support contract (15 years) is not consistent with current thinking or advice – council requirements and the ICT landscape are changing much more rapidly than this.

Requirements for ICT support will decline over the next few years as the Cloud becomes more embedded as the main source of ICT applications and the main repository for public sector data – a small in-house team will be all that is needed, along with a portfolio of external providers – cloud providers, application providers, system integrators; internal infrastructure will be simpler than now.

Hence over the next few years, look to options for strategic sourcing – not necessarily a single source

Retain the existing contract for ICT service for Business as Usual (BaU) services on a declining basis; retain strategic input and client-side management in-house - ICT strategy development, business project management, business liaison, performance management

Marshal existing in-house ICT resources to provide a strong client-side and resource to drive business-led innovative uses of ICT.

The Web and customer management

The council website is critical to the delivery of services to customers, and increasingly as a platform for communication between customers and the council and amongst customers and communities. Current web content is not customer-focused and the current web platform is not suited to this key role. The strategy recommends its replacement. This proposes:

An Open Source web content management system (CMS) which has the necessary functionality to support end-to-end customer service for the most frequently used council services – Open Source means the system itself is available at no cost, and it is known that the Drupal Open Source CMS is now in widespread use in local authorities in the UK – currently 27 councils using it, and it is the fastest-growing CMS in local government.

The website also lies at the heart of the council's customer service strategy and communications strategy. The website should be:

- The key (most used) channel of information and service delivery for self-service, face-to-face and telephone contact
- The definitive source of information and channel of service for all (customers and customer-facing staff alike)
- Up to date, easy to access, relevant to customer needs, written in customer-speak
- An end-to-end service delivery channel, consistent throughout
- Accessible 24x7 and fully supported 24x7
- Easily accessible – public access facilities, mobile devices, usability standards, etc.

Related to the Web, the council currently uses the Lagan Customer Relationship Management System (CRMS). The strategy proposes replacing this with a simpler database of customers and their interactions with the council. This will provide functions to manage:

- Customer authentication – for security, and for convenience (customers don't need to type their details each time they want a service)
- Customer contacts – enabling the council to be more proactive in offering services (the Amazon model)
- Customer statistics – substantial savings can be achieved from channel shift – not currently being achieved

Strengthening the in-house team

The current in-house team of ICT resources lacks focus and is dispersed in the organisation. It is proposed to centralise this resource under an effective strategic manager – a new post of Head of ICT strategy and information.

In addition, the client-side ICT team should consist of:

- ICT contract and supplier manager (existing post)

- Business liaison/business analysis/systems support (existing team, restructured)

- Information architecture, business intelligence (existing post, may need supplementing)

- GIS/spatial data team (existing team)

- Information assurance (not currently supported but to be covered by reorganisation of existing resource)

- Web development and content management team (existing team, restructured)

- Business project managers (could be business liaison officers/business analysts above)

Existing ICT/business systems staff in individual services (mainly adult services, children's services, housing) should remain where they are – they are effectively “super-users” for the applications in use in these services, and bring their detailed knowledge of the business to bear on configuring the applications to best advantage. But it is proposed that they are managed jointly by their existing service and the Head of IT Strategy and Information – to ensure consistency of ICT approach across the council.

Strengthening ICT controls

Review the funding arrangements for ICT – it is proposed that the core “Business as Usual” ICT service, covering core infrastructure, basic desktop/end user devices and corporate systems are funded centrally; investment in service-specific applications, projects and services to be funded by the service concerned (where the business benefit will be generated)

All spend on ICT (equipment, services, systems) to be authorised centrally through the Head of ICT so as to ensure compliance with the ICT strategy and to maintain a clear view of the overall spend on ICT in relation to the benefit it delivers.

ICT (Head of ICT, business analysts) to be involved at the earliest stages of any projects with an ICT element to them – to ensure ICT input to the specification of requirements, early involvement in the project design and management, and focus on achieving business benefits from the ICT investment

What the strategy will deliver

An efficient core service for the council, delivering smart ways of working, reduced ICT operating costs, significant efficiency savings

Effective use of combined in-house and external ICT resource, on a flexible basis, to provide value for money

Information systems and infrastructure that support joint working

Rich data sources that enable deep analysis – of where need is centred, how resources can best be deployed and how effective they are

A sound, well-architected ICT infrastructure that supports the council's needs for robustness, reliability and flexibility and is future-proof

An ICT service that is fit for purpose, delivers value for money, and enables significant business benefits – a net benefit to the council

Mapping the ICT strategy to the corporate strategy

Corporate strategy	ICT strategy
Work with residents to create well cared-for neighbourhoods	<ul style="list-style-type: none"> • Governance and direction of web and social media • Tackling digital exclusion • Infrastructure enables involvement of community groups, voluntary bodies, other public providers • Web to be developed to provide resource for communities and groups
Right skills, right jobs, right place	<ul style="list-style-type: none"> • Tackling digital exclusion through provision of access to web, provision of training and support • Potential provision of borough-wide Wi-Fi to enhance Swindon as a place to work • Move to e-tendering to present more modern image for council
Find new ways to reduce vulnerability and improve health for all	<ul style="list-style-type: none"> • Renewed infrastructure and virtualised environment to facilitate joint working and sharing of information with partners • Spatial data mining to pinpoint areas of need and focus resources where needed most
Work with people and families to help them fulfil their potential	<ul style="list-style-type: none"> • Renewed infrastructure and virtualised environment to facilitate joint working and sharing of information with partners • Access to wider range of information and services through the web and social media • Enable greater participation in the community and local democracy

Consistently make best use of all available resources and focus them on what matters most

- Complete the move to smart working – virtualised desktop, EDRMS, mobile working
- Self-service for internal processes – HR, finance, learning, procurement
- Self-service for customers – to enhance service and make more efficient
- Renewed infrastructure and virtualised environment to facilitate joint working and sharing of information with partners
- Long term sourcing options for IT – to ensure best value
- E-procurement; use of electronic media by Members

Investment plan

Work in progress – meeting with Capita 11th June when they will present their commercial proposal.

Sale of John Street Car Park

Cabinet

Date: 25th June 2014

Author:	Cabinet Member for the Economy, Regeneration and Skills, Cabinet Member for Strategic Planning, Sustainability and Transport and the Board Director Commissioning
Wards:	Central
Locality Affected:	Town Centre
Parishes Affected:	None

1. Purpose and Reasons

- 1.1 This report outlines the agreed terms between the Council (SBC) and UKCPEL and the savings SBC will make by virtue of the sale and demolition of the John Street Car Park.
- 1.2 The proposal within the report relates to the One Swindon Priority – We can all benefit from a growing economy and a better town centre and the Corporate Strategic Objective – Right skills, right jobs in the right place. The proposal is also in line with the endorsed Town Centre Masterplan and facilitating private sector led development, which delivers on the priorities contained within the Swindon Economic Strategy.

2. Recommendations

Cabinet is recommended to:

- 2.1 Authorise the Head of Property Assets to enter into negotiations for the sale of the John Street Multi-Storey Car Park (MSCP) to UK Commercial Property Estates Limited (UKCPEL) on the basis that -
 - 2.1.1 The MSCP is sold for a peppercorn on the basis that UKCPEL demolish the car park at their own cost,
 - 2.1.2 The Council has the option to reacquire the MSCP after 18months for a peppercorn if demolition has not been completed or after 5 years if the site has not been redeveloped for commercial use, and
 - 2.1.3 The Council receives 50% of any profit if the site is redeveloped.
- 2.2 Authorise the Director of Law and Democratic Services, in consultation with the Board Director, Resources and the Head of Property Assets, to complete the disposal on such terms and conditions as the Director of Law and Democratic Services considers necessary to protect the Council's interests.
- 2.3 Approve a budget of up to £10,000 from the Regeneration Reserve for the payment of legal fees for the disposal.

Further information on the subject of this report can be obtained from Emma Gee, 01793 466407, egee@swindon.gov.uk.

Sale of John Street Car Park

Cabinet

Date: 25th June 2014

3. Detail

3.1 In March and July 2013, Cabinet agreed to reduce surplus car parking spaces through a phased rationalisation of surface and multi-storey car parking stock (Cabinet Minutes 131, 2012/13 and 33 2013/14 refer). These actions were intended to rationalise and consolidate car parking, releasing land for regeneration and development as well as allowing the Council to improve the quality of our parking offer to users.

3.2 The July 2013 report advised that in light of the complexities of the John Street Car Park with regards the transfer of the asset to UK Commercial Property Estates Limited (UKCPEL) (formally known as UKCPT) a report would be brought back to Cabinet to detail the outcome of negotiations.

Disposal of John Street

3.3 John Street MSCP is located just off Fleet Street, an area of the Town Centre in need of change (see Appendix 1).. The car park structure is old and it is not well used. Indeed, patrons of Fleet Street traders have advised through various consultation exercises that they do not to park there during the day or evening due to perceived safety issues.

3.4 In addition, there is an opportunity for a more productive commercial use of the site in the medium to long term given its location opposite the proposed new Bus Exchange on Fleming Way as part of Kimmerfields. This would contribute to the continued regeneration of the Town Centre and generate additional economic benefit.

3.5 By virtue of the sale, the site would become part of the commercial portfolio of UKCPEL, the owners of the Parade, who will be motivated by increased values and opportunity associated with Kimmerfields to bring the site forward for redevelopment.

3.6 Due to the complex nature of the Development Agreement between SBC and UKCPEL and the increased estimated cost of demolition of £350k, it is proposed that the John Street MSCP be sold to UKCPEL. As a condition of the sale, UKCPEL will complete the demolition works, at their cost, within 18 months, providing an interim surface car park, and the site is to be redeveloped by UKCPEL within 5 years.

3.7 The disposal and subsequent demolition of the MSCP will see 117 spaces being removed from the total in the town centre.

4. Alternative Options

4.1 John Street MSCP remains operational and in SBC ownership.

Further information on the subject of this report can be obtained from Emma Gee, 01793 466407, egee@swindon.gov.uk.

Sale of John Street Car Park

Cabinet

Date: 25th June 2014

5. Detail

Financial and Procurement Implications

- 5.1 The recommendation to dispose of John Street MSCP will generate estimated annual revenue savings of £50k and has been reflected in setting the 2014/15 budget. The income for John Street for 13/14 was £70k. It is not possible to forecast the impact of any interim car parking use by UKCPEL on overall car parking income as this is dependent on how long it takes for the site to be redeveloped and whether people use alternative Council operated car parks. Also the Council annual revenue saving of £50k is dependent on transferring the car park to UKPEL. Overall any impact on parking income is not expected to be material also taking in to account the site has to be redeveloped within 5 years. The costs of demolition will be the responsibility of UKCPEL.
- 5.2 Any reductions in longer-term maintenance liabilities are not included in the saving mentioned at 5.1, but there will be a reduced call on the backlog maintenance budget as a result of the proposed transfer of John Street.

Legal and Human Rights Implications

- 5.3 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention Rights. The Director of Law and Democratic Services will be completing the necessary legal documentation and will take account of relevant legal and human rights implications.

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

- 5.4 No other relevant implications have been identified in the preparation of this report.

Diversity Impact Assessment (DIA)

- 5.5 A Diversity Impact Statement (DIA) has been completed. No significant issues were found. A copy of the DIA is available on request from the report author.

Risk Management

- 5.6 No significant unmitigated risks have been identified.

6. Consultees

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

Sale of John Street Car Park

Cabinet

Date: 25th June 2014

7. Background Papers

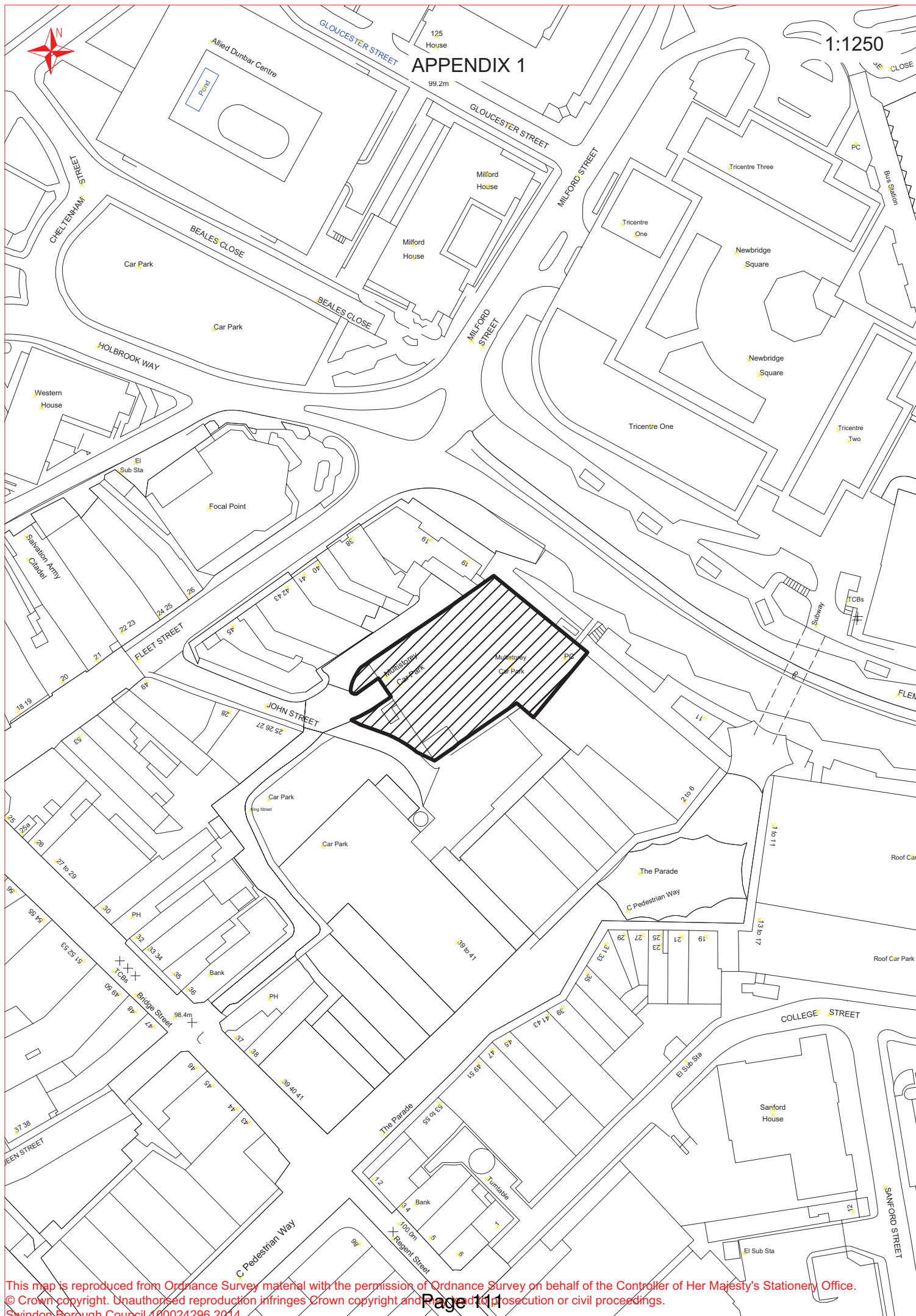
7.1 None

8. Appendices

8.1 Appendix 1 – Plan of the premises

9. Key Decision/Decision in Cabinet Work Programme/Forward Plan

9.1 This is a Key Decision and is included in the Cabinet Work Programme/Forward Plan for June 2014



APPENDIX 1

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**References from Other Council Bodies:
Economic, Environmental and Sustainability Overview and
Scrutiny Committee and the Town Twinning Network**

Cabinet

Date: 25rd June 2014

Author:	Cabinet Member for Strategic Planning, Sustainability and Transport, Leader of the Council and Director of Law and Democratic Services
Wards:	All
Parishes	All
Localities	All

1. Purpose and Reasons

- 1.1 To consider references and recommendations arising from meetings of the Economic, Environmental and Sustainability Overview and Scrutiny Committee and the Town Twinning Network.
- 1.2 There are specific links to One Swindon and to Corporate Plans and Policies associated with Stronger Together. These are highlighted in the original reports.

2. Recommendations

Cabinet is recommended to:

- 2.1 Consider the recommendations arising from the meeting of the Economic, Environmental and Sustainability Overview and Scrutiny Committee, as set out in Minute 25 (Appendix 1), and to request that the Cabinet Member for Strategic Planning, Sustainability and Transport in consultation with the Board Director, Service Delivery considers the Overview Committee's recommendations, and to submit his response to the relevant Overview Committee by no later than its September 2014 meeting.
- 2.2 Consider the recommendations arising from the meeting of the Town Twinning Network, as set out in Minutes 36 and 37 (Appendix 2).

3. Detail

- 3.1 The Economic, Environmental and Sustainability Overview and Scrutiny Committee met on 1st April 2014 and considered a report from the Cabinet Member for Highways, Strategic Transport and Leisure and the Board Director, Service Delivery that highlighted the framework within which Transport policy and Strategy in Swindon was developed and determined. Following its consideration of the report and discussion of issues arising, the Overview Committee made a number of recommendations for the Cabinet to consider (Minute 25). The Minute and recommendations are set out in Appendix 1 to the report considered by the Overview Committee is contained within Appendix 3 to this report.

Further information on the subject of this report can be obtained from Ian Willcox, Direct Dial Telephone Number – 01793 463601, email - iwillcox@swindon.gov.uk.

**References from Other Council Bodies:
Economic, Environmental and Sustainability Overview and
Scrutiny Committee and the Town Twinning Network**

Cabinet

Date: 25rd June 2014

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- 3.2 The Swindon Town Twinning Network at its meeting on 2nd April 2014 considered reports on (a) the criteria associated with Town Twinning Grant Applications for Cultural and Educational Activities on School Admission Arrangements (Minute 36), and (b) Swindon – Sazgitter Twinning: 40th Anniversary Celebrations (Minute 37). The outcome of the Network's deliberations resulted in recommendations to the Cabinet on these matters. The minutes and recommendations are set out in Appendix 2 to this report. The reports considered by the Network are included within Appendix 3.

4. Alternative Options

- 4.1 It is a matter for Cabinet as to whether the recommendations of the Committee and Network are supported or not.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The financial implications associated with the recommendations from the Committee and Network are set out in the reports to those bodies and within paragraph 3.3.

Legal and Human Rights Implications

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

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

- 5.3 This report has no other specific implications.

Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment (DIA) has not been undertaken at this stage as this report does not make any recommendations or have implications that affect services. The DIAs undertaken in respect of the individual reports are referred to in those reports. It is possible that further DIAs may be required at a later stage if the proposals within the report are supported by the Council and are to be implemented.

Risk Management

- 5.5 There are no identified risks.

Further information on the subject of this report can be obtained from Ian Willcox, Direct Dial Telephone Number – 01793 463601, email - iwillcox@swindon.gov.uk.

**References from Other Council Bodies:
Economic, Environmental and Sustainability Overview and
Scrutiny Committee and the Town Twinning Network**

Cabinet

Date: 25rd June 2014

6. Consultees

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

7. Background Papers

- 7.1 None.

8. Appendices

- 8.1 Appendix 1 – Minute of Economic, Environmental and Sustainability Overview and Scrutiny Committee – 2nd April 2014.
- 8.2 Appendix 2 – Minutes of Town Twinning Network – 3rd April 2014.
- 8.3 Appendix 3 – Related Reports.

9. Key Decision/Decision in Forward Plan

- 9.1 This is not a Key Decision and is included in the Cabinet Work Programme / Forward Plan for June 2014.

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

TUESDAY, 1 APRIL 2014

25. Transport Policy and Strategy

The Committee considered the report of the Cabinet Member for Highways, Strategic Transport and Leisure and the Board Director Service Delivery about the framework within which transport policy and strategy in Swindon is determined.

The report described the role and function of the Local Transport Plan, The Local Plan and the Swindon Wiltshire Local Enterprise Partnership (LEP) (including the Local Transport Body and Strategic Economic Plan) and the Town centre Masterplan.

Officers responded to members' specific questions and observations on the following:

- Need for use of rail throughout the Borough especially in the eastern villages
- Investment needed for additional rail stations in the Borough
- References made by a Member to the rapid transport system in Bristol and the impact in the City
- The cost of a new station had reduced in recent years along with the cost of light rail
- The Swindon and Wiltshire Local Enterprise Partnership was bidding for £280m with Swindon's proportion being £130m which was focusing on strategic investment sites at Wichelstowe, the New Eastern Villages to the east of the A419 and the town centre.
- Concern at the effect of accidents on the M4 on traffic entering and leaving Swindon
- Problems with Swindon infrastructure had been determined by the development of the town over many years
- Concern that the Council's commitment to a new bus exchange could be a 'white elephant' as many towns and cities no longer had a main bus terminal
- There was a need to develop a Transport Master Plan for Swindon with a set of priority projects and the creation of 'shovel ready' plans to take advantage of future infrastructure investment from Central Government
- Communication issues with Councillors to be re-examined
- The costs of feasibility plans and the need to demonstrate value for money

The Chair thanked the officers for their time and responses given to questions from the Committee.

Resolved:

1. **That this Committee recommends that this Council develops a Transport Master Plan for Swindon with a set of priority projects and the creation of 'shovel ready' plans for these projects to take advantage of future infrastructure investment from Central Government.**

Appendix 1

2. That officers be asked to prepare a report for the next meeting detailing the work of the Local Enterprise Partnerships Local Transport Body and how it would develop a programme of major transport schemes (including how it would prioritise, consult, use medium/long term shelve plans).
3. That this Committee notes that Councillors are the elected representatives of our communities and should be kept fully informed on works in or affecting their wards.
4. **That this Committee recommends that Communication between the Council and Councillors be re-examined.**

TOWN TWINNING NETWORK**WEDNESDAY, 2 APRIL 2014****36. Town Twinning Grants Applications - Cultural and Educational Activities**

The Network considered a report of the Director of Law and Democratic Services reviewing the criteria for consideration of Town Twinning grant applications along with the Council's definition of 'Cultural and Education Activities'.

The Director of Law and Democratic Services reported that the word 'culture' was subjective and could have many different meanings to different people depending on their viewpoint. The report highlighted the definition adopted by the Department of Culture, Media and Sport and suggested that this interpretation was one that this Council should use alongside the existing guidance and criteria for considering Town Twinning grant applications.

The Network were reminded that the basis for awarding grants was that they would strengthen links between Swindon and its twin towns and widen the horizons of the individuals and groups involved in twinning activities.

It was suggested that twinning activities needed to be taken more seriously within Swindon, especially as there were positive benefits for the economy, tourism, social and business community. A view supported by the Network.

The Chair proposed that a wider consultation be undertaken with those organisations connected with the Network and all 57 Councillors about the report, and in particular their opinion on the proposed definition of 'Cultural and Education Activities', prior to its adoption by the Network. It was also suggested that Cabinet be approached with a request for a 'one-off' budget of £10,000 to support Town Twinning activities over the next 3-5 years.

Resolved:

- 1. That the Cabinet be asked to consider a 'one-off' budget of £10,000 to be administered by the Town Twinning Network to support Town Twinning Activities over the next 3-5 years.**
2. That the Director of Law and Democratic Services be asked to undertake a consultation of the organisations connected to the Network along with the 57 Borough Councillors to canvass opinion on the definition of Cultural and Educational Activities contained in the report, prior to its adoption by the Network.

37. Swindon Salzgitter Twinning - 40th Anniversary Celebrations

The Network considered the report of the Director of Law and Democratic Services about arrangements to mark the 40th anniversary of the Swindon/Salzgitter Town Twinning during 2015.

The report highlighted the discussions held with various Heads of Service Areas within the Council and the possible options open to the Council to help with the celebrations, including appropriate displays at the Civic Offices and Central Library

and Communications support and publicity of events.

The Network, along with Councillor David Renard, Leader of the Council, indicated their support to mark the 40th Anniversary celebrations. There was an expectation that there would be mutual visits to Swindon and Salzgitter during 2015 and recognition that appropriate resources would be necessary to support events. A number of ideas were suggested for the celebrations including:

- Participation of Schools – German themed events
- Promotion of events and activities through local papers and radio
- To ask the Salzgitter delegation visiting Swindon in 2014 to bring any materials that would help with displays at the Civic Offices and Central Library
- In promoting the economic links between the Towns, to ask Forward Swindon to identify German companies based in Swindon and encourage them to become involved in the celebrations for example BMW, Siemens, VW and MANN
- To seek the support and participation of the Mayor and Deputy Mayor in the activities planned for 2015
- To 'tie-in' the visit from Salzgitter to Swindon with the Council's Annual Council and Civic Dinner for 2015

Resolved:

1. That the arrangements detailed in the report and highlighted above be supported
2. **That the Cabinet be asked to approve a 'one-off' budget to support the 40th anniversary celebrations during 2015 of the Swindon/Salzgitter Town Twinning link**

Agenda Item 14

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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