



**SWINDON BOROUGH COUNCIL**  
**Municipal Year 2014/15**

**Thursday, 17 July 2014**

**COUNCIL CHAMBER  
CIVIC OFFICES  
SWINDON**

9 July 2014

Dear Councillor,

**Summons to attend Council Meeting**

A MEETING of the **Council**, which you are requested to attend, is to be held at the CIVIC OFFICES, SWINDON, on **Thursday, 17 July 2014 at 7.00 p.m.**

The business to be transacted will be as follows:-

**AGENDA**

- 1. Apologies for Absence**
- 2. Communications**  
To receive any communications or letters which the Mayor or Chief Executive may have to bring before the Council.
- 3. Minutes** (Pages 1 - 4)  
To receive the minutes of the previous meeting held on 3<sup>rd</sup> July 2014.
- 4. 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.

**5. Public Question Time**

See explanatory note below.

**6. Options Appraisal - Leisure Commissioning (Pages 5 - 98)**

To consider (a) a joint report of the Cabinet Member for Corporate Services and Leisure and Board Director Service Delivery regarding the Options Appraisal – Leisure Commissioning, (b) Minute 5 of the Cabinet relating to this report, and (c) Minute 21 of Council.

**7. Minutes for Confirmation (Pages 99 - 100)**

To consider a Minute for Confirmation from the Licensing Committee:

- Minute 11 – Scheme of Delegations – Amendments and Updates

**8. Motions**

**(a) Motion - Motor Neurone Disease Charter**

**Councillor Ray Ballman will move:**

“This Council recognises that some people in the Borough suffer from the rapidly progressive, disabling and terminal Motor Neurone Disease (MND).

This Council notes that the national Motor Neurone Disease Charter led by the Motor Neurone Disease Association has received more than 16,000 signatures and it is intended to be presented to the Government before the 2015 General Election. The 5 points of the Charter are:

1. People with MND have the right to an early diagnosis and information.
2. People with MND have the right to access quality care and treatments.
3. People with MND have the right to be treated as individuals and with dignity and respect.
4. People with MND have the right to maximise their quality of life.
5. Carers of people with MND have the right to be valued, respected, listened to and well supported.

This Council recognises that it has a role to play in supporting sufferers of this condition whether it be from its adult social care services, housing adaptations or support for carers and believes that by supporting and signing this charter, it shows Council’s commitments to supporting sufferers of this disease.

This Council requests the Leader of the Council to sign the charter on behalf of Swindon Borough Council.”

(b) **Motion - Houses in Multiple Occupation**

**Councillor Bob Wright will move and Councillor Steve Allsopp will second:**

“This Council notes that in some areas of the Borough, a reliance on Houses in Multiple Occupation (HMOs) as low cost housing has led to safety issues in many of those homes and squalid living conditions. On top of this many of the HMOs in the borough can be poorly managed and maintained.

Council believes it should have greater powers to ensure that all HMOs provide decent living conditions for tenants living within them. This Council notes the HMO licensing scheme administered by Oxford City Council which aims to protect the health, safety and welfare of all tenants in HMOs as well as improving the quality of the HMO housing rental stock.

This Council requests the Cabinet Member for Housing to bring a report to Cabinet detailing how the Council can apply the HMO licensing model run by Oxford City Council for the Swindon Borough.”

**9. Appointments to Committees and Appointment of Chairs**

To consider changes to Scrutiny and Overview Committee Membership and Chairs of Overview and Scrutiny Committees. (To be tabled at the meeting.)

**10. Minutes of Cabinet and Decisions Delegated to Cabinet Members** (Pages 101 - 142)

Members have the opportunity to raise questions with the relevant Cabinet Member in respect of Cabinet minutes (which are not reserved for Council for decision) and in respect of individual Cabinet Member delegated decisions.

**11. Minutes of other Council Bodies**

Members have the opportunity to raise questions with the relevant Chair in respect of all other Committee minutes (not reserved to Council for decision), as set out in the Minute Book circulated separately.

**12. Councillors Question Time**

Questions (if any) of which notice has been given by Councillors in accordance with Standing Order 15.

Yours faithfully

Director of Law and Democratic Services

### **Questions by Members of the Public in accordance with Standing Order 11**

Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Council (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.

**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.

## COUNCIL

**THURSDAY, 3 JULY 2014**

PRESENT:- The Worshipful The Mayor in the Chair; Councillors Junab Ali, Steve Allsopp, Abdul Amin, Paul Baker, John Ballman, Ray Ballman, Andrew Bennett, Alan Bishop, Roderick Bluh, Michael Bray, Wayne Crabbe, Oliver Donachie, Mark Edwards, Toby Elliott, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, Jim Grant, John Haines, Neil Heavens, Dale Heenan, Russell Holland, Fay Howard, Richard Hurley, Colin Lovell, Mary Martin, Nick Martin, Cindy Matthews, Brian Mattock, Gemma McCracken, Des Moffatt, Derique Montaut, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, Ann Richards, James Robbins, Eric Shaw, Kevin Small, Timothy Swinyard, Vera Tomlinson, Steve Wakefield, Nadine Watts, Peter Watts, Steve Weisinger, Keith Williams, Robert Wright and Julie Wright.

### **16. Apologies for Absence**

Apologies for absence were received from Councillors Mark Dempsey, Stan Pajak, Nicky Sewell, Carol Shelley, Joe Tray and Dave Wood.

### **17. Communications**

The Chief Executive reported that no communications had been received.

### **18. Minutes**

Resolved – That, the minutes of the meeting held on 6<sup>th</sup> June 2014, as amended and tabled, be confirmed and signed.

Councillor Des Moffatt asked the Leader of the Council if there had been any progress made in respect of the issues raised in his Standing Order 15 Question (Minute 15 refers). The Leader of the Council responded at the meeting.

### **19. Declarations of Interest**

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

Councillor Nadine Watts made a non prejudicial declaration of interest in respect of Agenda Item No. 6 in her capacity as Secretary of Croft Football Club.

### **20. Public Question Time**

Mrs Jane Milner-Barry asked a public question relating to the potential lease arrangements and potential development arising from the proposed lease arrangements for the Croft Playing Fields. The Cabinet Member for Corporate and Leisure Services responded at the meeting.

Mrs Kareen Boyd asked a public question regarding the role of the Cabinet Member for Strategic Planning, Sustainability and Transport in the exclusion of Dorcan Playing Fields from the consultation on the future Leisure Options Transfer.

The Cabinet Member for Strategic Planning, Sustainability and Transport responded at the meeting.

Mrs Kareen Boyd asked a supplementary question regarding the schedule for informing the Secretary of State for Education about the Section 77 Leisure Options Transfer consultation? The Cabinet Member for Corporate and Leisure Services indicated that a written response would be provided to this question.

Mrs Kareen Boyd asked a public question seeking clarification as to the role of the Minister of State in the approval timing of any Leisure Options Transfer? The Cabinet Member for Corporate and Leisure Services requested that Mrs Boyd submit this question in writing and he would arrange for an appropriate response to be made.

Ms Linda Kasmaty asked a public question seeking assurances on the future public use of Croft Playing Fields should they be included in a Leisure transfer. The Cabinet Member for Corporate and Leisure Services responded at the meeting.

Ms Linda Kasmaty asked a supplementary question regarding the effect of losing the Croft Playing Fields on children's health. The Cabinet Member for Corporate and Leisure Services responded at the meeting.

Mr James Boyd asked a public question regarding capital expenditure at Plas Pencelli. The Leader of the Council asked that the question be submitted in writing and he would arrange for an appropriate response to be made.

Mr Richard Symonds asked a public question regarding the quality of grass cutting in Shaw. The Cabinet Member for Streetsmart responded at the meeting.

Mr Richard Symonds asked a supplementary question relating to the answer received. The Cabinet Member for Streetsmart responded at the meeting.

Ms Debbie Wright asked a public question regarding public access to Croft Playing Fields in the event of a Leisure Options Transfer. The Cabinet Member for Corporate and Leisure Services responded at the meeting.

Ms Debbie Wright asked a supplementary questions regarding the hours of operation of the Croft Playing Fields and Car Park. The Cabinet Member for Corporate and Leisure Services responded at the meeting.

## **21. Council Petition Scheme**

The Council considered a report of the Director of Law and Democratic Services concerning the receipt of a petition containing 1,653 signatures entitled "Petition to Safeguard the Future of Croft Playing Fields".

The Council received the comments of Mr Neil Hopkins, on behalf of petitioners, introducing the petition.

Councillor Jim Grant moved and Councillor Jim Robbins seconded:

"That Council:

- Notes the petition submitted to the Council:
- Requests the Cabinet to take Croft Centre Car Park, Marlborough Lane and the Croft Playing Fields out of any leisure transfer lease.”

Councillor Keith Williams moved and Councillor David Renard seconded that the Motion be amended to read:

“Notes that Marlborough Lane has already been removed from the proposal as a consequence of the consultation, and that the remaining issues are best addressed as part of the full debate on the Leisure Options Transfer proposal scheduled for 17<sup>th</sup> July.”

The amendment was put to the vote and declared carried becoming the Substantive Motion.

The Substantive Motion was put to the vote and declared carried.

## **22. Councillors Question Time**

The Director of Law and Democratic Services reported that a Standing Order 15 Question had been received from Councillor Bob Wright. A written response was tabled.

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## Options Appraisal - Leisure Commissioning

**Council date: 17<sup>th</sup> July 2014**

**Cabinet Date: 25<sup>th</sup> June 2014**

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

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### **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."

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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](mailto:smendham@swindon.gov.uk).

## Options Appraisal - Leisure Commissioning

**Council date: 17<sup>th</sup> July 2014**

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### **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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- 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 24<sup>th</sup> 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.

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

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**Council date: 17<sup>th</sup> July 2014**

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### 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 8<sup>th</sup> January to 3<sup>rd</sup> 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 7<sup>th</sup> 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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## Options Appraisal - Leisure Commissioning

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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

<b>Initial offer to the market</b>	<b>Post negotiation revised offer from the market</b>
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

<b>Initial offer to the market</b>	<b>Post negotiation revised offer from the market</b>
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 31<sup>st</sup> 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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## Options Appraisal - Leisure Commissioning

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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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## **Options Appraisal - Leisure Commissioning**

**Council date: 17<sup>th</sup> July 2014**

**Cabinet Date: 25<sup>th</sup> June 2014**

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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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## Options Appraisal - Leisure Commissioning

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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 1<sup>st</sup> 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 8<sup>th</sup> January to 3<sup>rd</sup> 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 8<sup>th</sup> 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 3<sup>rd</sup> March and closed on 15<sup>th</sup> 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](http://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](mailto: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/](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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## **Appendix 2 – Options Appraisal – Leisure Commissioning**

**Cabinet Report 25<sup>th</sup> June 2014**

**Council Report 17 July 2014**

### **Leisure Transfer Proposals**

#### ***Analysis of survey data***



**A report by Phil Back Associates Ltd**

**for Swindon Borough Council**

**April 2014**

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Phil Back Associates Ltd  
Boston House

214 High Street  
Boston Spa  
WETHERBY  
LS23 6AD

## Executive summary

1. The report analyses a survey run online and on paper, from 8th January to 3rd March 2014, and which received valid responses from 817 participants. In addition, eleven other submissions received separately have been included in the analysis at appropriate points.
2. Almost all respondents are either local residents, or Leisure Centre users, or both; five out of six are local residents, and four-fifths are centre users. Very few respondents are neither local residents nor users. Response is concentrated to some extent in the West Swindon and Old Town areas, and in Highworth; it is noticeably thinner on the northern and eastern estates.
3. The response is evenly divided between men and women, but tends to be concentrated towards the older end of the age spectrum, with those aged 45-64 well represented, and those under 45 less well represented in the sample. The proportion with disabilities is also lower than expected but this is explained by the age profile; though it is also noticeable that some centres, particularly Haydon, have a stronger appeal to people with disabilities. Almost all respondents are white; two thirds are in paid employment.
4. Patterns of usage indicate a response group with a high commitment to active leisure, but as the sample drew heavily on Council leisure databases this is hardly surprising. The Link centre is especially well represented, as is the Health Hydro; response is more patchy from Delta Tennis, Highworth Golf and Moredon Golf. Nine out of ten respondents is a regular (i.e. visits at least once a month) at one or more centres; many use multiple centres on a regular basis. Two-thirds of respondents have at least one SBC Leisure Card in their household, and these are highly likely to be regular visitors to centres.
5. Over two thirds of centre visits are made by car; most of the rest are made on foot. Only 7% of centre visits are made using public transport. Car usage is especially high at Moredon, Delta, Dorcan and Broome Manor; rather less at the Health Hydro, where parking options are more limited.
6. Most visits to Leisure Centres are for participation, but two in five people - usually younger adults - also visit to take family members so they can participate. Just one in five attenders comes for a group activity, and one in seven to spectate. Over a quarter use the Leisure Centre as part of their social life; this aspect is especially important for golfers..
7. The most used areas of Leisure Centres are the car parks and changing rooms; but just over half of visitors use the pool regularly and a similar proportion are gym regulars. Use of the cafe and the ice rink tends to be more occasional, with older people making more use of refreshment areas and younger ones the ice rink.

8. Just over a quarter of those taking part in the survey (who are, by definition, largely regular users of Council facilities) are also users of private gyms; use of private golf courses is much less frequent, and so are visits to Oasis.
9. Asked about their views on the transfer proposals, five out of six respondents give an opinion; these are more likely to be negative in nature, and negative comments tend to be more detailed than positive ones.
10. The main perceived advantage of an arrangement as described is the possibility of new investment in the facilities, bringing them up to a standard level with customer expectations in the modern age. Other advantages include a reduced liability to the public purse, and enhanced commitment to maintenance, better management, and the possibility that centres can be retained.
11. The main perceived disadvantages are the probability of increased admission charges (71% of those suggesting disadvantage mention this), and likely reductions in the service, either because some activities are not profitable or because some centres will be deemed superfluous. There is concern that a new operator may not share the Council's commitment to vulnerable and low-income users, currently expressed through concessionary pricing; and that increased pricing, and consequent loss of take-up, may threaten the Council's wider health and participation objectives.
12. There is also a widespread concern that the centres are community assets which should be retained as such rather than vested in a private sector provider, and also at the loss of control, and of accountability, that such a relationship, over such a long period of time, would imply. Several respondents have concerns over staff outcomes from any transfer arrangement; others doubt that investment will actually be forthcoming.

## 1 Introduction and methodology

Swindon Borough Council faces a significant financial challenge, needing to address a £48 million budget gap over the course of the next three years, and requiring the authority to consider alternative ways of delivering its services. One option currently being explored is inviting commercial and not-for-profit enterprises to take over the running of several of the Council's Leisure Centres and Golf Courses, a proposal that would be expected to reduce the cost to the public purse whilst enabling the centres to remain financially sustainable.

Background information on the possible transfer was published on the Council's website, including a comprehensive FAQ document seeking to address some of the known issues that might arise for Leisure Centre customers. This consultation was set up to ascertain public opinion on the proposals and to allow opinion to be understood in terms of key demographic, geographical and other characteristics of service users.

An online survey questionnaire was created with a link from the Council website, and was open for submissions from 8th January 2014 until 3rd March 2014. Alongside this, a paper version of the survey, using exactly the same questions and structure, was prepared and made available in local leisure centres. A general invitation to participate was issued through a media release, and through posters in Leisure Centres; the invitation was also extended through the Council's Leisure in Swindon website. This was augmented by a targeted mail-out, using email and an electronic link, to all adult Leisure in Swindon Card holders and with a valid email address (and with permission to use it) registered against their card.

The centres which are included in these proposals are:

- Croft Sports Centre
- Swindon Health Hydro
- Delta Tennis Centre
- Moredon Golf Centre
- Highworth Golf Centre (the nine hole course)
- The Link Centre, West Swindon
- Dorcan Recreation Complex
- Haydon Centre
- Broome Manor Golf Centre

The Council plans two packages, one involving the three golf centres and the other covering the six leisure centres. The Highworth Leisure Centre is not currently proposed for transfer and this was made clear in the documentation.

A copy of the questionnaire is attached as an appendix to this report.

After the survey closed, a validation exercise was undertaken to check for multiple submissions from the same individual respondents; this sometimes happens when

controversial issues are examined in an online environment. We found only limited evidence<sup>1</sup> of attempts to subvert the survey in this way and a small number of replies were removed on these grounds.

**A total of 817 valid responses** have been included in this analysis. This is a good response for an online survey, but an accurate response rate is difficult to define because we cannot know how many people had the opportunity to respond but decided not to do so. It was always the intention, though, to secure responses from those most directly affected by the proposals - those who use the sites most. It is clear that, because of the methodology used, most respondents do have an active interest in the subject, and indeed the respondent profile confirms that a significant proportion are at least occasional users of the centres that might be subject to this transfer. In addition, comments and observations from three formal letters and eight individual email responses have been incorporated as appropriate in the text that follows, although it is assumed that these will also have been given separate consideration by the Council and, perhaps, direct response.

The data has been analysed using SPSS, an industry standard analysis application, supplemented by text analysis techniques for open text responses. No data weightings have been applied to any of the results.

Guarantees of anonymity have been given to respondents, and care has been taken not to use any information provided in such a way as to allow a respondent to be identified from the data they supply.

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<sup>1</sup> For reasons of future security, we do not disclose the methodology used to identify multiple entries, but have discussed this and agreed it with the appropriate Council officer.

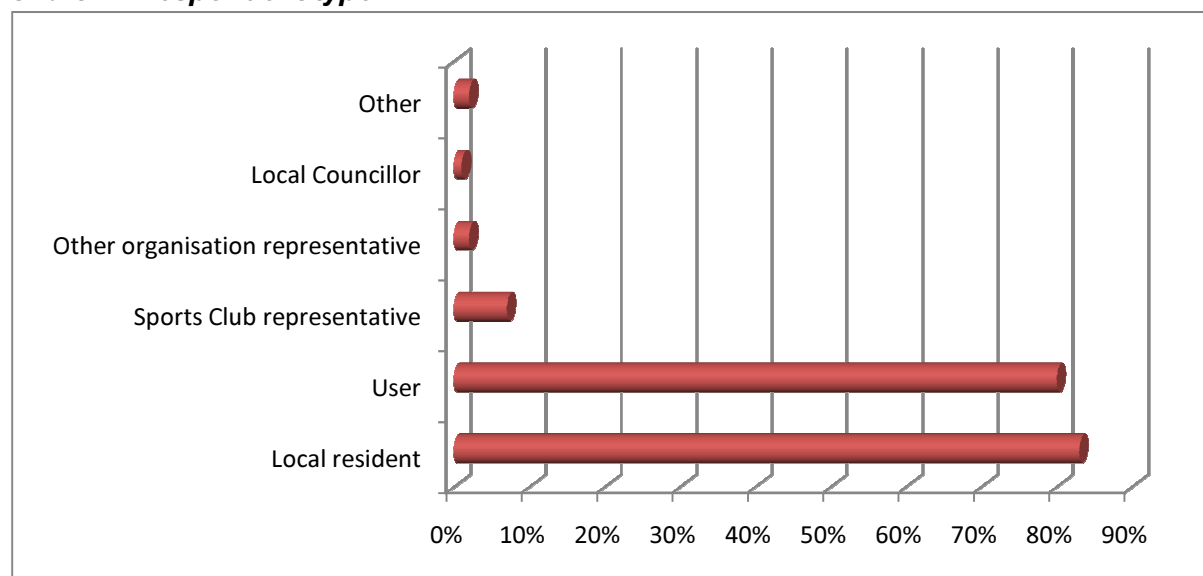
## 2 Respondent Profile

This table shows how the response to the survey is divided between different types of respondent:

**Table 1: Respondent type**

<i>Respondent type</i>	<i>Proportion of respondents</i>
Local resident	83%
User of local sport/leisure facilities	80%
Sports Club representative	7%
Other organisation representative	2%
Local Councillor	1%
Other	2%
<i>N (=100%)</i>	<i>816</i>

**Chart 1: Respondent type**



A number of people identify themselves under more than one heading, so the total exceeds 100%.

Five out of every six respondents is a local resident, a substantial majority which nevertheless reflects the fact that Swindon's leisure and golf centres serve more than just an immediate geographical audience. Postcode analysis indicates respondents who live in Cirencester, Burford, Yate, Bath and even as far away as the Vale of Glamorgan and Sheffield. These responses may include some visitors to Swindon, but are more likely to be

commuters who live outside the locality, or students who divide their time between different addresses.

Four out of five people responding to the survey are people who use local Swindon leisure facilities, leaving one in five respondents who is not a service user. However, very few respondents - just ten in total - are neither a local resident nor a service user, so the vast majority of the response is from people who contribute to the service either through taxation, admission pricing, or both.

A small proportion of responses are from people contributing on behalf of sports clubs, but the level of response from other organisations and groups is very small; a handful of local councillors (which may well include Parish Councillors) have also taken part. People classifying themselves in other ways (there are not many of these) include small numbers of teachers and support workers leading classes or groups in these centres, a small number of Leisure Centre or Council staff, and individuals from media and business.

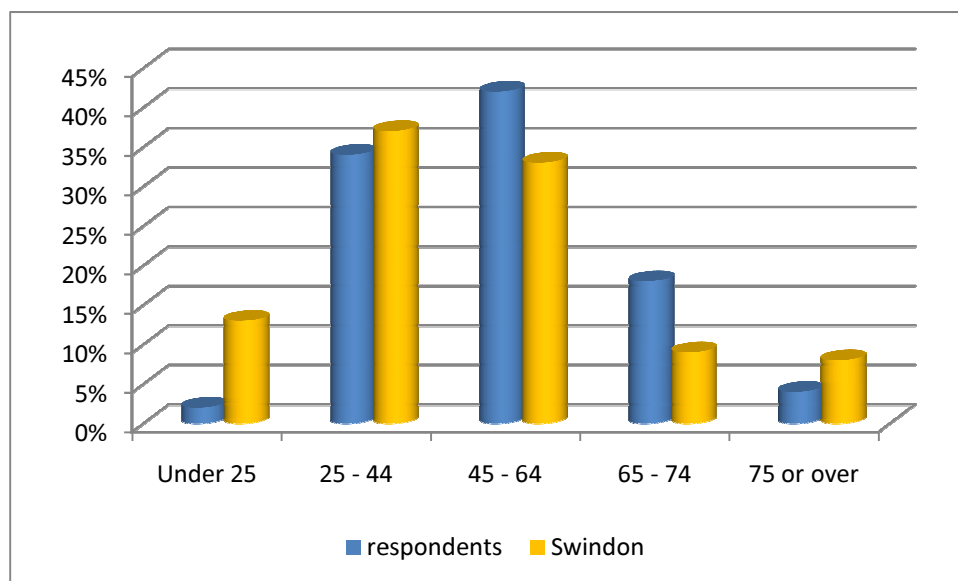
This table shows the distribution of response according to age:

**Table 2: Age-group of respondents**

<i>Age-group</i>	<i>Proportion of respondents</i>	<i>Proportion of Swindon adults</i>
Under 25	2%	13%
25 - 44	34%	37%
45 - 64	42%	33%
65 - 74	18%	9%
75 or over	4%	8%
<i>N(=100%)</i>	742	162,633



**Chart 2: Age-group of respondents**



A third of respondents are aged between 25 and 44, and a further two in five are aged 45 - 64, so that three-quarters of responses come from adults of working age. One in six respondents is aged between 65 and 74. At the two extremes of the age range, response is much more limited, with just 3% of respondents under 25, and 4% over 75.

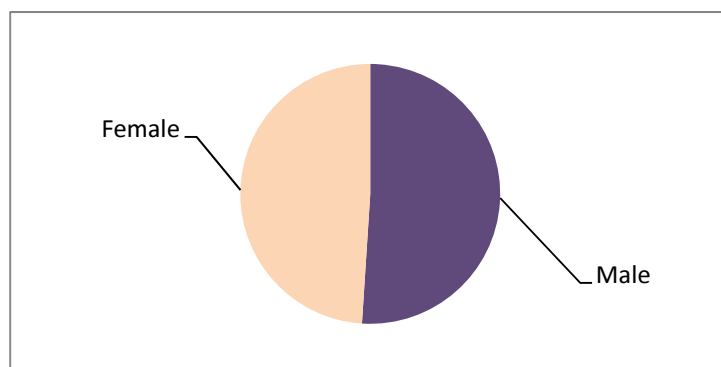
Comparison with the age distribution for Swindon adults generally shows that the response over-represents the views of people aged 45-74, and under-represents the views of under 25s to a considerable degree. The low representation of over 75s, however, can be linked to fairly low levels of participation in sport and leisure, and hence perhaps interest in the subject matter, in this age-group.

We also asked about gender, with these results:

**Table 3: Gender**

<i>Gender</i>	<i>Proportion of respondents</i>
Male	51%
Female	49%
<i>N(=100%)</i>	<i>752</i>

**Chart 3: Gender**



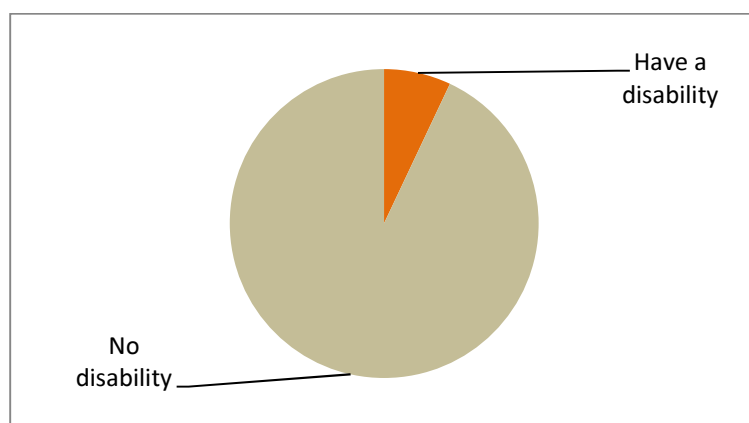
The gender split is almost even, with only a very slight over-representation of men in the response.

Respondents were asked whether they consider themselves to have a disability, and the results are shown here:

**Table 4: Disability**

<i>Disability</i>	<i>Proportion of respondents</i>
Have a disability	7%
No disability	93%
<i>N(=100%)</i>	<i>743</i>

**Chart 4: Disability**



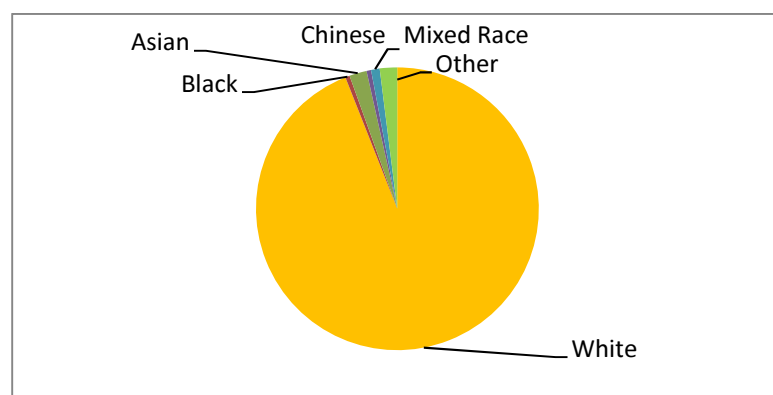
The relatively low level of response from people with disabilities reflects both the age profile of the respondents (older people, and especially over 75s, are much more likely to have disabilities) and also the subject matter (people with disabilities are less likely to participate in sport or active leisure).

None of the golf courses is particularly good at attracting participants with disabilities on a regular basis; only around 5% of those who golf regularly are people with disabilities. At the Leisure Centres, Haydon is the most successful in attracting regular participation from this group; one in nine regulars at Haydon has a disability, a much greater proportion than at Croft.

**Table 5: Ethnicity**

<i>Ethnicity</i>	<i>Proportion of respondents</i>
White	94%
Black	*
Asian	2%
Chinese	*
Mixed Race	1%
Other	2%
<i>N (=100%)</i>	<i>740</i>

**Chart 5: Ethnicity**



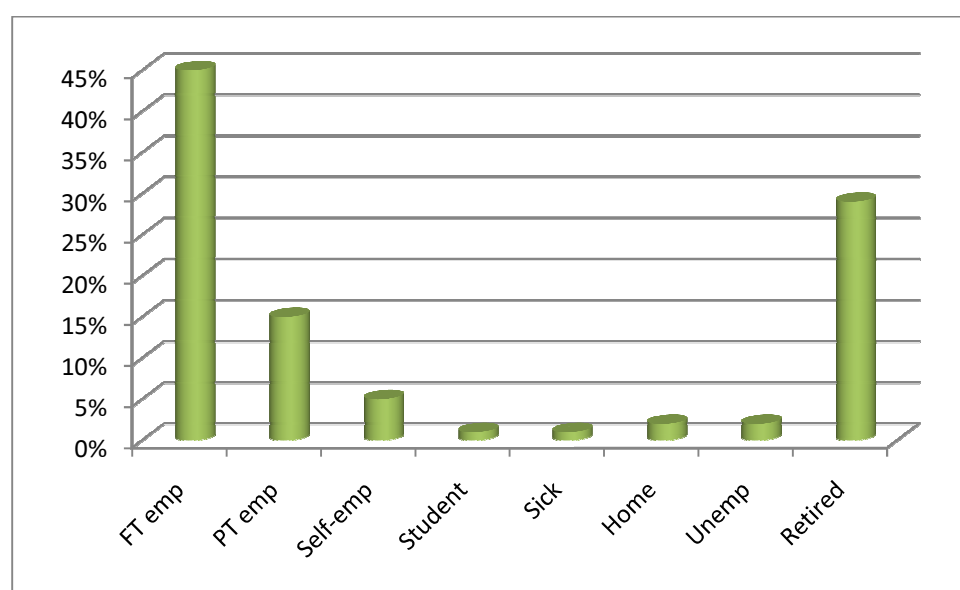
The overwhelming majority of respondents are white; there are small numbers of responses from Asian, Mixed Race and Other minorities, but the numbers of Black or Chinese people participating in the survey are too small to register in the table.

This table shows how respondents' work status varies:

**Table 6: Working status**

<i>Work status</i>	<i>Proportion of respondents</i>
Full time employed	45%
Part time employed	15%
Self employed	5%
Student	1%
Permanently sick or disabled	1%
Looking after the home	2%
Unemployed/looking for work	2%
Retired	29%
<i>N (=100%)</i>	<i>749</i>

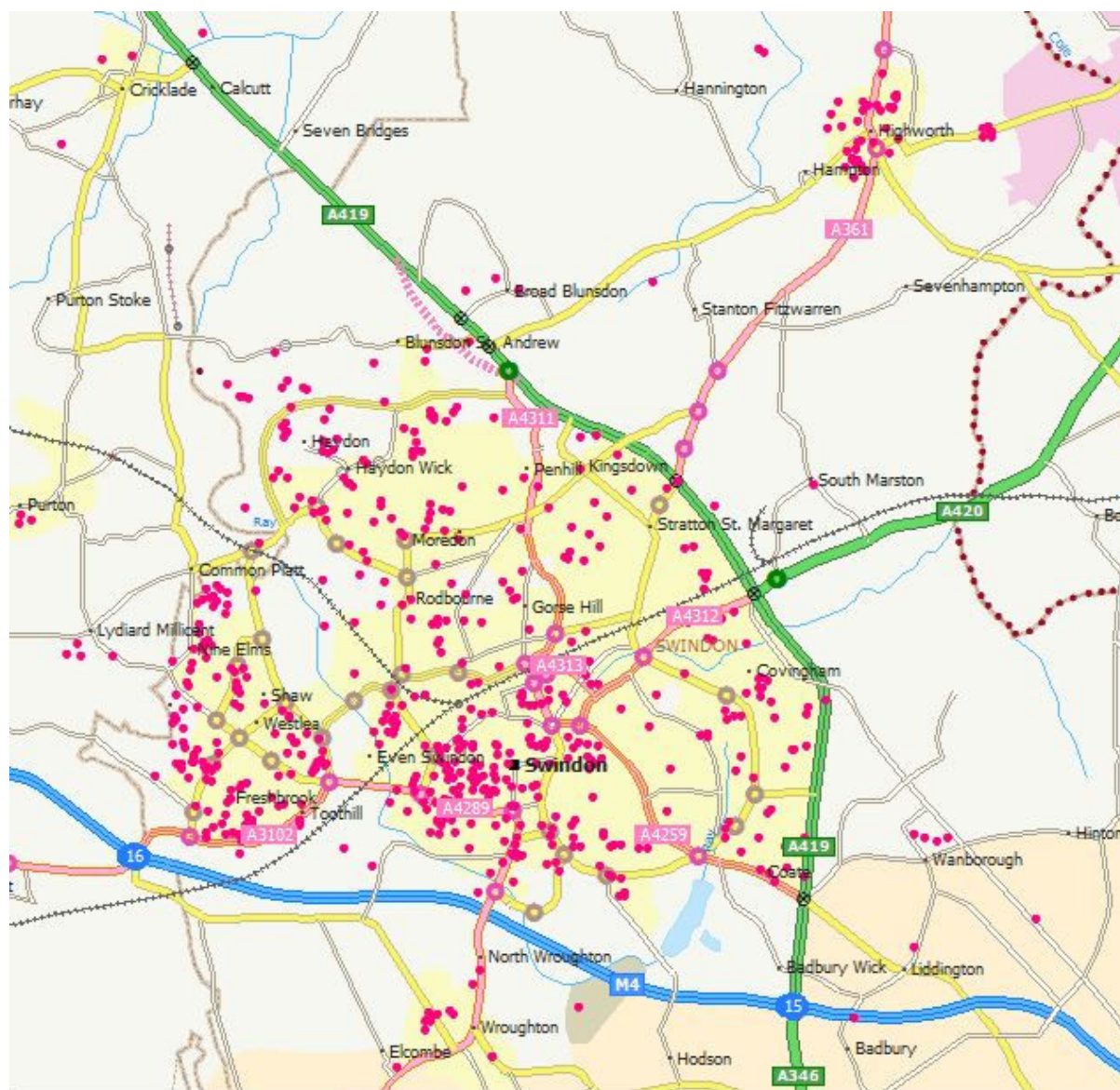
**Chart 6: Working status**



Just under half of respondents are in full-time employment, and a further 15% work part-time, which combined with the self-employed totals around two-thirds who are in paid work. Well over a quarter of respondents are retired people; their numbers reflect the age distribution of response, as does the relatively low representation of full-time students. There are small numbers of unemployed or permanently sick in the response, but the majority of people with disabilities describe themselves in other ways, indicating that their disability is not necessarily a determinant of their working status.

The geographical distribution of responses is shown in this map:

**Map 1: Geography of response**



Although there are responses from all over Swindon, and beyond, there is also a clear concentration of responses in particular parts of the Borough. The density of response is much greater in West Swindon, and in the Old Town, than in other areas; proportionately, there is also a concentration of response in Highworth. In contrast, the response is relatively weak in the eastern and northern estates and districts of the Borough, with more limited response from areas such as Dorcan, Penhill and Parks.

This also becomes apparent if we look at response by postcode: one in five respondents (21%) live in West Swindon, and a similar proportion (20%) in the Old Town/Central/Eastcott area. One in six (16%) is from eastern Swindon and one in nine from the northern suburbs; one in 11 (9%) live in Highworth and the rural north.

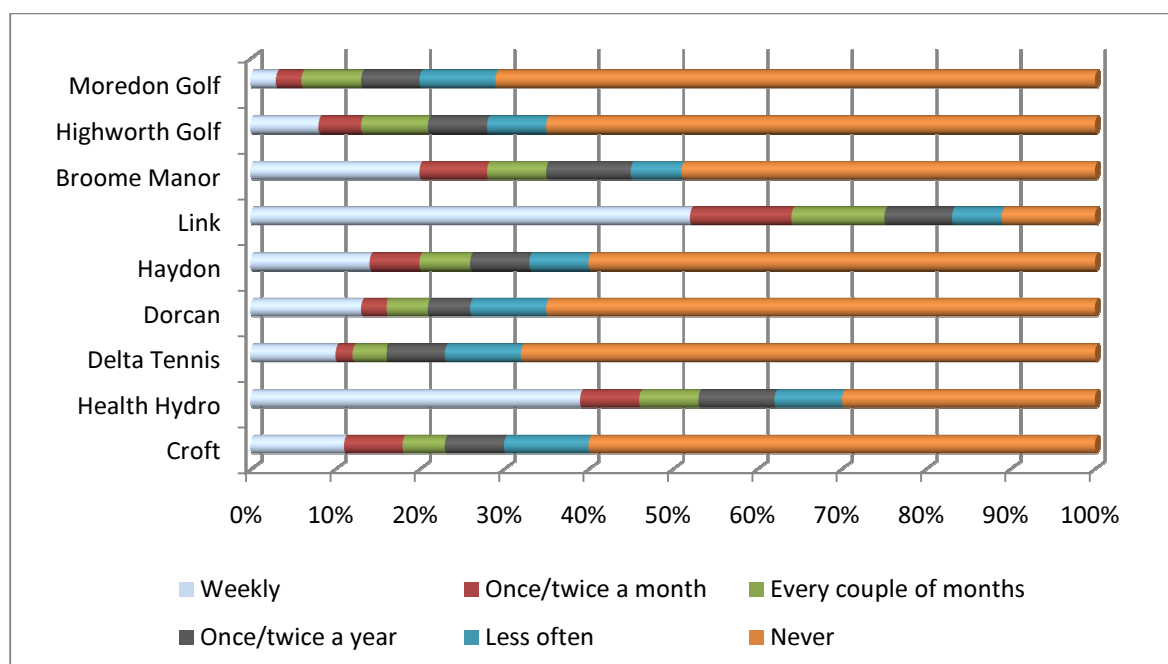
### 3 Patterns of use

This table shows how often respondents, and other members of their households, visit each of the different centres included in the transfer proposals.

**Table 7: Frequency of visiting**

Centre	Proportion of respondents who visit					
	Weekly	Once/twice a month	Every couple of months	Once/twice a year	Less often	Never
Croft	11%	7%	5%	7%	10%	60%
Health Hydro	39%	7%	7%	9%	8%	30%
Delta Tennis	10%	2%	4%	7%	9%	68%
Dorcan	13%	3%	5%	5%	9%	65%
Haydon	14%	6%	6%	7%	7%	60%
Link	52%	12%	11%	8%	6%	11%
Broome Manor	20%	8%	7%	10%	6%	49%
Highworth Golf	8%	5%	8%	7%	7%	65%
Moredon Golf	3%	3%	7%	7%	9%	71%
N (=100%)	Ranges from 445 to 653					

**Chart 7: Frequency of visiting**



There are respondents linked to each of the nine centres discussed in the proposals, but interest is not evenly spread across all the centres. By far the most popular centre in this sample is the Link Centre in West Swindon, which is also the centre with the heaviest levels of patronage generally; in this sample, only one in nine respondents never visit, and over half visit the Link at least once a week.

The Health Hydro is also well supported within this group, with less than a third of respondents saying they never visit, while two-fifths visit at least weekly. Other leisure centres are much less popular within this sample, with between three-fifths and three-quarters of respondents saying they never visit. The levels of non-visiting may actually be higher than this, because several respondents left some answers blank, perhaps implying that they never use the centres in question.

Nevertheless, each has its adherents, and all centres are thus represented in the sample. It is also clear that a high proportion of respondents spread their allegiance across multiple centres, with several saying they and their household are regulars at two or more centres and occasional visitors at others as well. What is also noticeable is that the numbers who visit weekly, or who never visit, far exceed those who visit occasionally, suggesting that leisure centre visiting among this group of respondents follows a pattern of high commitment and regular presence at a small number of preferred locations.

Looking at the three golf centres, the most popular is Broome Manor, where one in five respondents visit at least weekly; but even at this golf centre, half of people say they never visit. Two thirds never attend Highworth Golf, and Moredon is less well patronised than this, with almost three-quarters of respondents saying they never visit.

The table should not be regarded as a proxy for the relative popularity of different leisure centres. Although the Link Centre is by far the most popular centre in terms of visitor

numbers<sup>2</sup>, the data in this table suggest a higher level of response from the Health Hydro customer base, and to a lesser extent from Broome Manor, than a representative sample would imply.

The Health Hydro has similar proportions of regulars from all age-groups, but women outnumber men among the most regular users. Delta Tennis Centre is more popular with older respondents, and with men. Disability affects frequency of attendance at Delta, and also at Croft; other than this, there is little variation at Croft by either age or gender.

The Link Centre attracts high proportions of regulars from all age-groups, but has a particular appeal to the youngest and oldest respondents; women are a little more likely to visit regularly, and the centre clearly appeals to people with disabilities. Dorcan and Haydon are also popular with older and younger participants, and at Haydon women are more likely to be regular visitors; Haydon is also popular with people with disabilities.

At Broome Manor, and also at Moredon, the older a respondent is, the more likely they are to be a regular visitor; although there are younger adults who visit regularly, they are less likely to do so than those of more advanced age. Men are twice as likely as women to be regulars, and are also predominant among occasional visitors. The same pattern is evident at Highworth, except that the male dominance is even greater. While people with disabilities do play golf, they are less likely to do so regularly than those without disabilities.

Grouping all the centres together, and compressing the frequencies of visiting, the data can be summarised as follows:

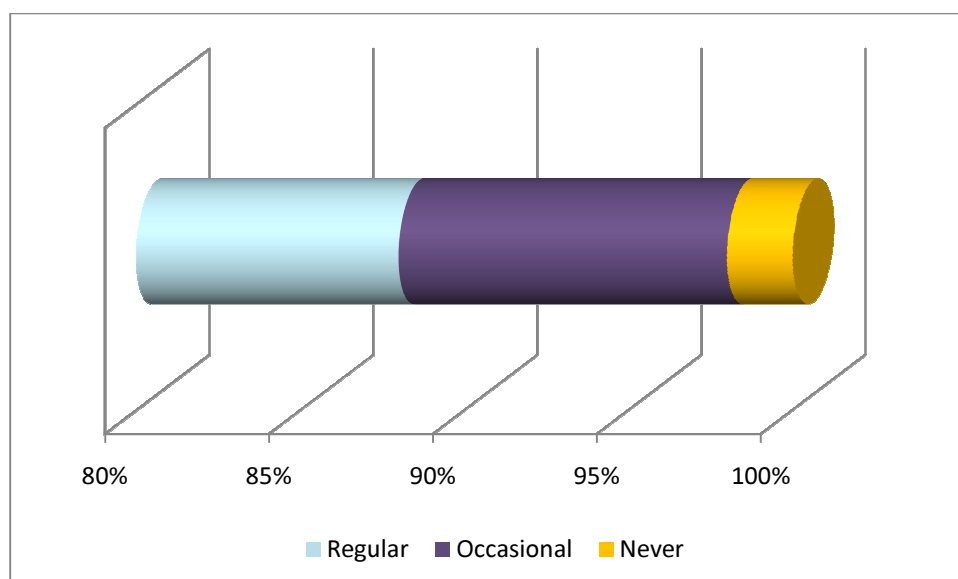
**Table 8: Summary of frequency**

<i>All centres</i>	<i>Proportion of respondents</i>
Regular	88%
Occasional	10%
Never	2%
<i>N (=100%)</i>	<i>808</i>

**Chart 8: Summary of frequency**

<sup>2</sup> Phil Back Associates (2013): Active Recreation in Swindon, p57





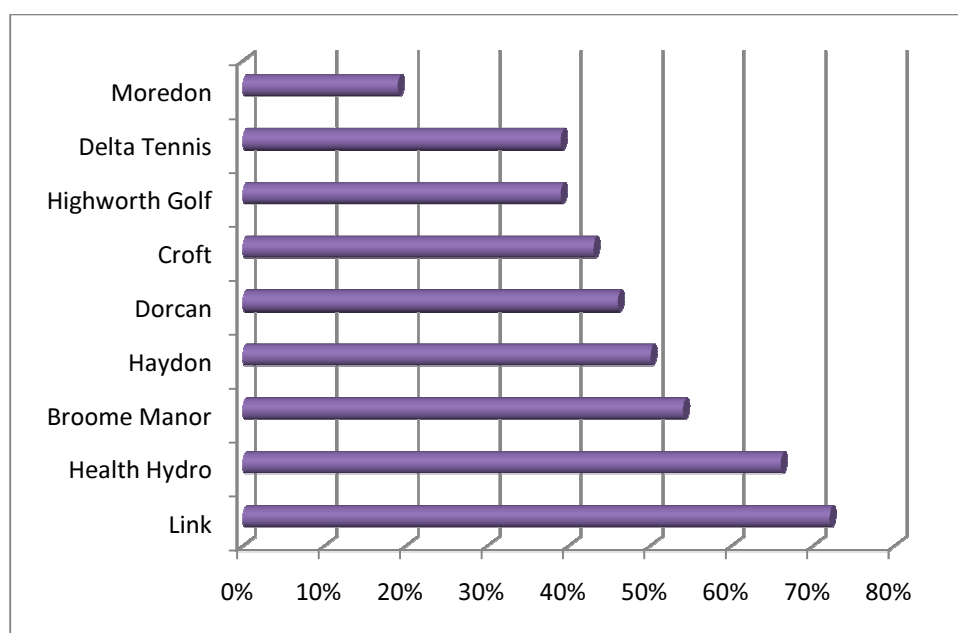
Taking the response as a whole, 88% say they attend at least one Leisure Centre at least once or twice a month, while most of the rest are at least occasional visitors. Within this response, there is a small number of people, 17 in all (2%) who never visit any of the nine centres, but still wish to contribute to the consultation.

This table shows the proportions of respondents who are regulars (attenders at least once a month) at each listed centre.

**Table 9: Regular attenders at each centre**

Centre	Proportion of respondents visiting this centre who are regulars	Number of responses from regulars at this centre
Link	72%	418
Health Hydro	66%	263
Broome Manor	54%	145
Haydon	50%	97
Dorcan	46%	72
Croft	43%	81
Highworth Golf	39%	64
Delta Tennis	39%	57
Moredon	19%	25

**Chart 9: Regular attenders at each centre**



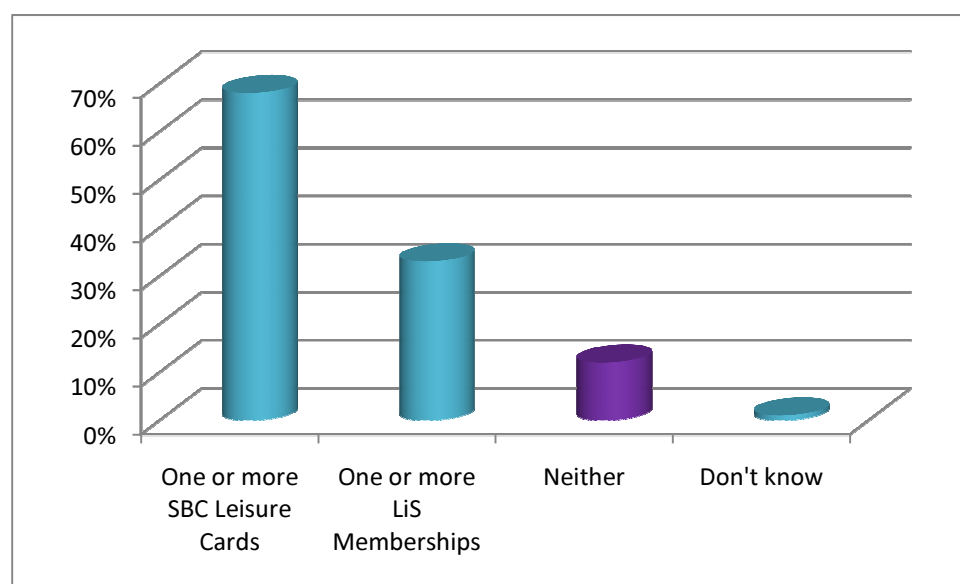
The Link Centre has both the highest overall response, and the highest proportion of its users who are regulars: three-quarters of respondents who visit the Link at all say they go at least once a month, indicating a high level of commitment to the centre. Two thirds of those who visit the Health Hydro at all are regulars there, as are more than half the respondents who visit Broome Manor and Haydon. Two out of five users at Delta and Highworth Golf are regulars, but only one in five Moredon users visits the site at least once a month, suggesting usage here is much more casual in nature.

The Council promotes a commitment to Leisure, and also provides support for those who are disadvantaged, through the deployment of SBC Leisure Cards (formerly known as Swindon Cards) and Leisure in Swindon memberships (formerly known as Leisure passports). This table shows the proportions of people in this response making use of these facilities:

**Table 10: Memberships**

Type of membership	Proportion of respondents
One or more SBC Leisure Cards	68%
One or more LiS Memberships	33%
Neither	12%
Don't know	1%
N (=100%)	786

**Chart 10: Memberships**



It should be borne in mind that the membership databases were used as a mailing list inviting participation, so it is not surprising that a large proportion of respondents are cardholders. In fact two-thirds of respondents say they have an SBC Leisure Card, and a third have a Leisure in Swindon membership; just one in eight respondents have neither, and very few people are ignorant of their status in this respect. The question asks about memberships held within a household, not by the individual respondent, so the numbers exceed 100%.

SBC Leisure Cards correlate closely with regular use of Council facilities; 92% of those who hold this card are regulars at one or more of the nine listed facilities, meaning that they visit at least monthly. The connection is even more strong with Leisure in Swindon (LiS) memberships; 95% of members are regulars at one or more of the nine listed centres. In contrast, just 57% of those who hold neither membership are regulars at any of these centres; these will presumably include some who are ineligible for the card benefit.

In age terms, the membership schemes are popular across the spectrum, although it is noticeable that the over 75s tend to favour the SBC Card and are less likely to take up Leisure in Swindon. Men and women are equally likely to hold SBC cards, but women are more likely to be LiS members and men more likely to belong to neither scheme. People with disabilities are also a little less likely to take up LiS membership.

At Delta Tennis Centre, four out of five regular users have a household member with an SBC Leisure Card; at the other Leisure Centres, the figure is generally between two-thirds and three-quarters of regular users. The lowest proportion, 65%, is at the Link Centre, and at Croft. These figures suggest some potential for promoting memberships as a way of allowing people to enjoy reduced price use of the facilities, and also locking them in more fully to Council centres.

Use of SBC cards at the golf centres is uniformly high, with around three-quarters of regular golf centre users holding this card.

Membership of LiS is much more variable. The highest membership among centre regulars is at Haydon, where 45% hold an LiS membership somewhere in the household; this falls to just 18% of regulars at Delta Tennis. Typically between a third and two-fifths of regulars have a household member in this scheme.

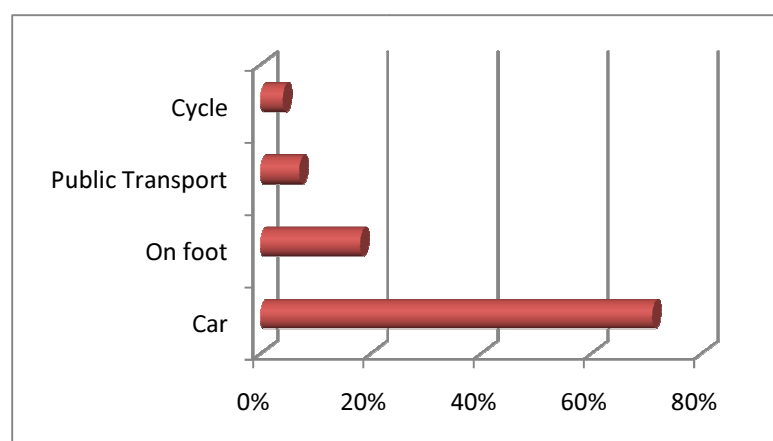
Relatively few regulars have neither scheme represented in their household; the highest proportions are 8% at the Link and 8% at Dorcan, both small minorities in the context of this response.

This table shows how people travel to their preferred centre:

**Table 11: Travel**

<i>Travel</i>	<i>Proportion of respondents</i>
Car	71%
On foot	18%
Public Transport	7%
Cycle	4%
Other	*
<i>N (=100%)</i>	<i>759</i>

**Chart 11: Travel**



The private car is by far the most likely way people travel to their preferred centres; well over two-thirds of respondents use this method. One in five walk, with a small proportion cycling; and public transport is important for a small minority of respondents.

There is some variation by age, although car use is high in all age-groups, and especially so among under 25s; walking to the Leisure Centre is more prevalent among younger adults than among over 45s.

Women are a little more likely to use public transport, but usage is low in both gender groups. However public transport usage is higher for people with disabilities, where 16% of respondents rely on this means of access. People with disabilities are less likely to use a car, but even so, three-fifths of those with disabilities travel in this way.

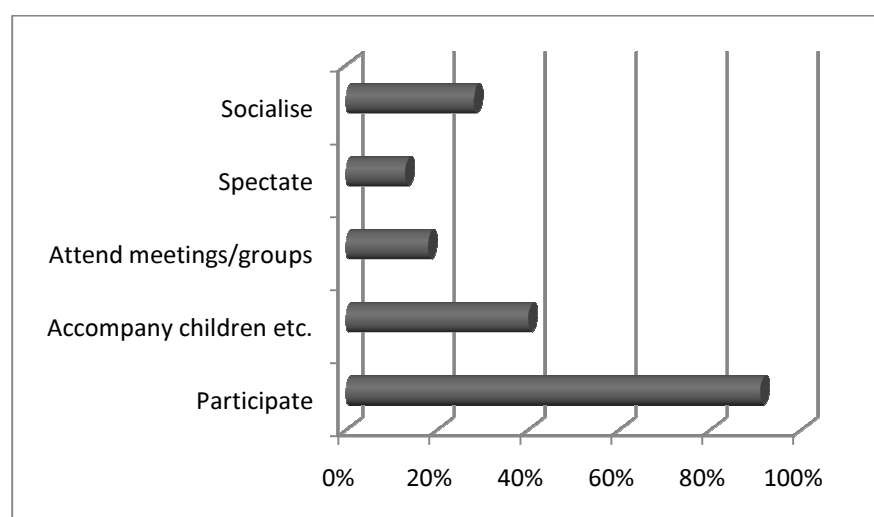
Car use is highest at Moredon, where everyone in the sample travels by car; it is also high at Dorcan, Delta, and Broome Manor, exceeding 85% of visitors in each instance. It is much lower at the Health Hydro, where there are parking restrictions; even so, well over half the Hydro's visitors (53%) arrive by car.

This table shows why people visit Leisure Centres and Golf Centres.

**Table 12: Reasons for visiting**

<i>Reason</i>	<i>Proportion of respondents</i>
Participate	91%
Accompany children etc.	40%
Attend meetings/groups	18%
Spectate	13%
Socialise	28%
Other	5%
<i>N (=100%)</i>	<i>749</i>

**Chart 12: Reasons for visiting**



Almost everyone who attends a Leisure Centre goes to take part in active sport or exercise; just one in eleven respondents in this group do not do so. Most of those who are not taking

part themselves are there to accompany a child or other family member while they take part, and between them these two reasons for visiting account for 96% of all visits from this respondent group; clearly, several visitors do both, and there is considerable overlap between the categories.

One in five users attends a group or meeting at a Leisure Centre (no distinction is made between a sports club or some other group using centre facilities), and one in eight comes to watch sport, though there are very few people who only visit for spectating. The social aspect of sport is also important, and over a quarter say this is part of their rationale for visiting these facilities; but again, the proportion who only come for social reasons is minuscule, and socialising is commonly linked to participation either in person or by a family member.

Other reasons given for visiting include use of non-sports facilities located within Leisure Centres, such as a library, a therapist, a cafe, or a play space; assisting with running groups or coaching, using baths, attending children's parties, and working in the centres themselves.

Attendance with a family member is especially likely for respondents aged between 25 and 44, the age-group that would be most likely to have younger children who need to be accompanied; few older people visit for this reason, suggesting this is a factor that works much more strongly for parents (and, it seems, especially for mothers) than for grandparents.

Groups and meetings are especially important for older people, indicating the importance of the social dimension to this age group; they are also important for disabled involvement, suggesting that sessions linked specifically to the needs of people with disabilities are of value in attracting this audience.

Spectating is a little stronger for younger people, but tends more to be a male activity; the social dimension of sport is important in all age-groups but especially among older people, and particularly for older men.

Participation is the primary reason for visiting all nine centres, but is especially important for those visiting the Health Hydro, Broome Manor and Highworth Golf; at these three centres very few people visit without wishing to take part. Accompanying family members varies in a similar way, and is much lower at the Health Hydro and at the Golf Centres than at the other five locations; family involvement is especially low at Highworth, but is very high at Dorcan and is also strong at Croft and the Link Centre.

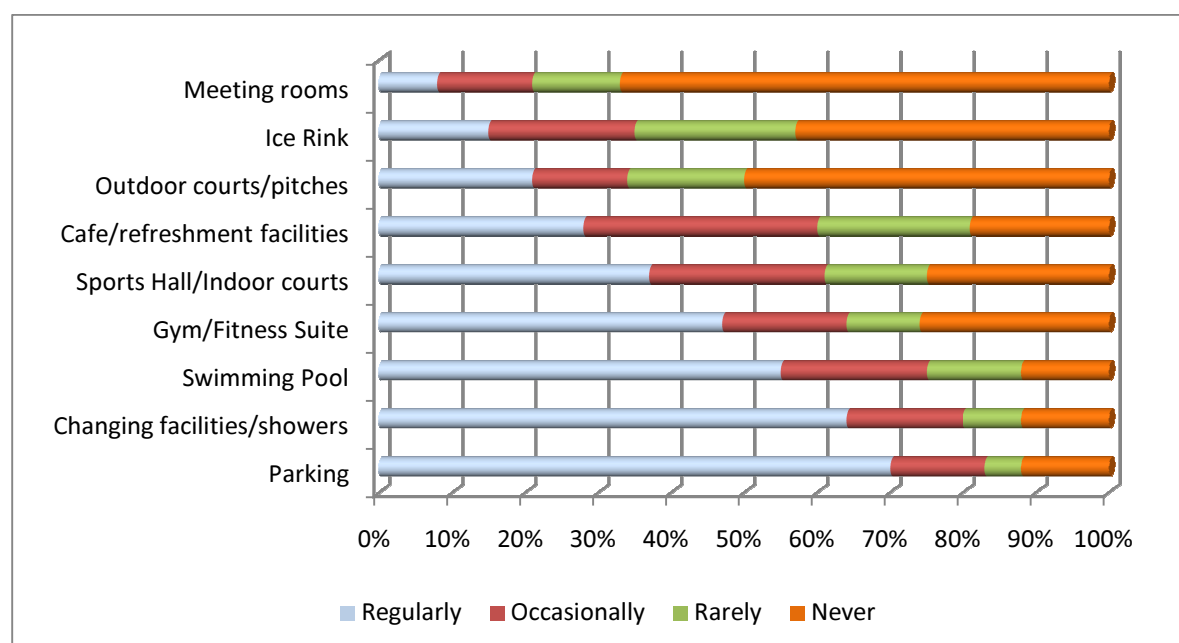
Spectating is highest at Dorcan, Croft and the Link Centre, but is not high anywhere; it is very limited at Delta, Highworth Golf, Moredon and the Hydro. The social aspect, though, is of great importance to the three golf centres, and is also prominent at Haydon and Dorcan, where group participation is higher than at other leisure centres.

Respondents' use of specific facilities within Leisure Centres is indicated here:

**Table 13: Use of facilities**

Facility	Proportion of respondents who use			
	Regularly	Occasionally	Rarely	Never
Parking	70%	13%	5%	12%
Changing facilities/showers	64%	16%	8%	12%
Swimming Pool	55%	20%	13%	12%
Gym/Fitness Suite	47%	17%	10%	26%
Sports Hall/Indoor courts	37%	24%	14%	25%
Cafe/refreshment facilities	28%	32%	21%	19%
Outdoor courts/pitches	21%	13%	16%	50%
Ice Rink	15%	20%	22%	43%
Meeting rooms	8%	13%	12%	67%
N (=100%)	Ranges from 514 to 709			

**Chart 13: Use of facilities**



There is a wide variation in the popularity of different aspects and opportunities at Leisure Centres. Unsurprisingly, given the strong preference for access by car, parking is a very widely used attribute of the centres, and two thirds of people use the changing rooms and/or the showers regularly when they visit. Over half say they use the swimming pool regularly, and nearly half use the fitness suite on a similar frequency. A quarter of respondents never use the fitness suite, but this falls to just one in eight who never use the pool.

The sports hall and indoor courts are regularly used by over a third of visitors, and are much more popular than outdoor facilities and courts, which are used by just one in five on a regular basis; a quarter never use indoor courts, but half ignore the outdoor facilities altogether. Only one of the nine centres featured (the question was specific about Council Leisure Centres) has an ice rink, and one in seven respondents uses this regularly. Meeting rooms are a much more limited-use facility and two-thirds of respondents never use them.

The **pool** is popular with all age-groups, but frequency of use reduces with age; just 5% of under 45s never uses the pool, but this rises to over a third of over 65s. Women are more frequent users than men, but disability does not adversely affect the frequency of use, and people with disabilities actually visit a little more frequently than their counterparts. The proportion of regulars who are also regular pool users is highest at the Health Hydro, where around two thirds of regulars are also regular pool users (most likely, but not necessarily, at the Hydro pool).

The **ice rink** is more a younger person's facility; although older people do use this, they do so much less often, and three-quarters of over 65s never use it. Women are a little more frequent in using the ice rink, and so too are people with disabilities. Naturally, regulars at the Link are the most likely to use the ice rink, but only a quarter of Link regulars are ice rink regulars. Ice rink use among golfers is low, partly reflecting the age balance among golfers.

The **gym and fitness suites** are also largely the domain of younger adults. Working age adults are more frequent visitors than those of retirement age, and around half of over 65s say they never visit these areas. Women visit slightly more often than men, and these spaces are less popular for people with disabilities. Broome Manor golfers use the fitness suites much more often than their counterparts at Highworth or Moredon; at the Leisure Centres, the highest proportions of regulars (over 62%) who use the gym regularly are at Haydon, Croft and the Link, while the lowest is at Delta (29%).

**Indoor courts** tend towards more frequent use by older people, and again are less well used by people with disabilities. Usage of courts is naturally high at Delta, which focusses on this type of facility and where four-fifths of regulars are also regular court users, but at the Hydro less than a third of regulars is an indoor facility regular (not necessarily at the Hydro) as well.

Use of **outdoor pitches and courts** follows no pattern linked to age; they are popular at both ends of the age spectrum, but are much more frequently used by men, and less well used by people with disabilities. Golfers are of course likely to be regular users, and outdoor



courts are also popular among Delta regulars, but much less so among Hydro, Link and Haydon regulars.

Use of **changing facilities** also reduces with advancing age, although well over half of older users make use of these facilities; men and women are equally frequent in their use of changing rooms. The **cafe/refreshment** areas are much more frequented by older people, whereas younger adults tend to be occasional or even rare visitors; men and women use the cafes/refreshment areas to a similar extent. At the golf courses, half the regulars also regularly use refreshment facilities, highlighting the importance of the social side of this activity; at Dorcan and the Hydro, just one in five regulars also regularly uses the cafe.

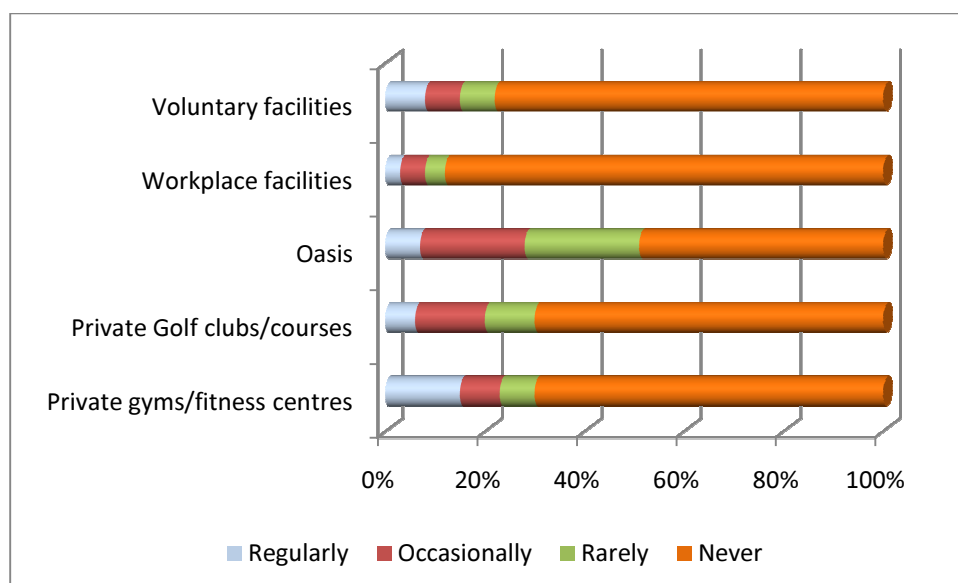
**Parking** is used by all age-groups, but especially by older people and more frequently by women. **Meeting rooms** in contrast are used much more frequently by over 65s, and especially by over 75s; very few under 45s use this aspect of the centres.

Council Leisure Centres are not the only option available to people in Swindon, though, and this table shows how often other options are chosen:

**Table 14: Use of private facilities**

Facility	Proportion of respondents who use			
	Regularly	Occasionally	Rarely	Never
Private gyms/fitness centres	15%	8%	7%	70%
Private Golf clubs/courses	6%	14%	10%	70%
Oasis	7%	21%	23%	49%
Workplace facilities	3%	5%	4%	88%
Voluntary facilities	8%	7%	7%	78%
N (=100%)	Ranges from 664 to 718			

**Chart 14: Use of private facilities**



Among this group of respondents, there is some use of **private gyms/fitness suites**; one in seven respondents visit this type of facility regularly, although nearly three-quarters never go. Interestingly, over a quarter of those in this response group who use private sector gym facilities are also regulars at Council facilities. Private gyms are much more popular at the younger end of the age-range, and appeal a little more strongly to men than to women, though the difference by gender is not marked.

Dorcan and Delta regulars are the most likely Leisure Centre users to also be regulars at private gyms; a fifth of these attend a private facility regularly. In other Leisure Centres, the proportion is more likely to be around 10% or so of regulars who attend a private gym, but at the Golf Centres the proportion is much higher, again around a fifth.

Regular users of **private golf facilities** are more limited in numbers in this response group; just 6% do so regularly, although one in five attend private golf clubs at least occasionally. The reverse, though, is not true; there are few who play regularly at private courses and also make use of municipal facilities. Private golf is most frequently used by those aged 45-64, and is less commonplace among older retired adults or those of lower working age; it is also more popular with men, and rarely used by people with disabilities.

Regular users of Moredon make more use of private golf clubs than those who use either of the other two centres, with one on five of the small number of regulars at Moredon also playing regularly at a private course. For each of the other two courses, there is a small proportion who are regulars at both the municipal course and at a private club.

**Oasis** attracts a small core of regulars, but visits to this former Council facility, now run in the private sector, are more likely to be occasional. They are also concentrated at the lower end of the age-range, suggesting this is more of a family facility.

Use of **workplace and voluntary sports facilities** among this response group is very limited.

## 4 Advantages and disadvantages

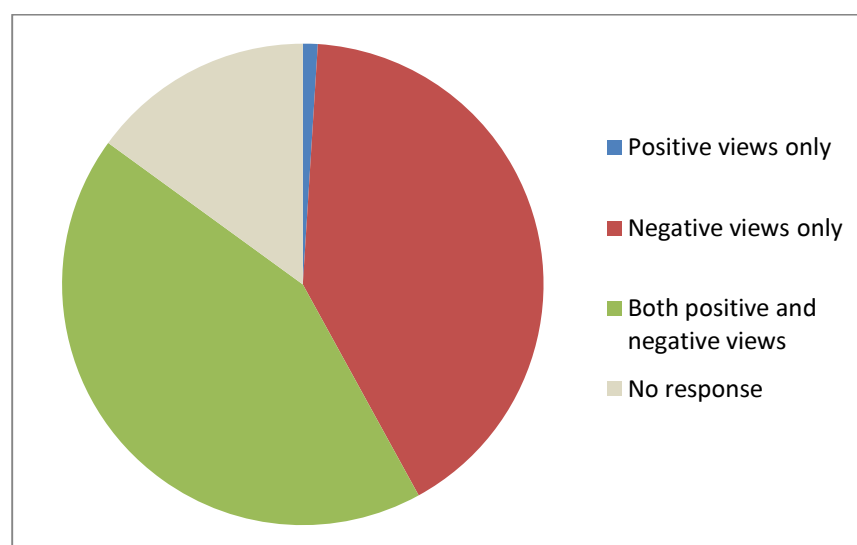
Respondents were asked to indicate, using a blank text space, what advantages, and what disadvantages, they foresaw from a transfer of the type envisaged in the explanatory material.

Looking first at the overall positions taken by respondents, they can be grouped as follows:

**Table 15: Opinion groups**

<i>Opinion</i>	<i>Proportion of respondents</i>
Positive views only	1%
Negative views only	41%
Both positive and negative views	43%
No response	15%
<i>N (=100%)</i>	<i>817</i>

**Chart 15: Opinion groups**



The responses are overwhelmingly negative and focus on perceived disadvantages. Although there is a small number of people who see no problem with the proposal, most of those expressing a positive view also have concerns about the proposals and can foresee possible disadvantages. In contrast, two out of five respondents can see only disadvantages accruing from the proposal, while a similar proportion note possible advantages as well as negative outcomes. One in six respondents makes no observation on either side of the argument.

It is also noticeable that the number and complexity of comments is much greater from those opposed to the proposals. A total of 543 positive observations are made, but the number of

negative observations is three times greater at 1,762 negative comments.<sup>3</sup> This suggests that the strength of feeling on the part of those who oppose the proposals is much greater than among its proponents.

The comments have been analysed and grouped into related areas; the most prominent of these are tabulated below.

The advantages foreseen from this arrangement are these:

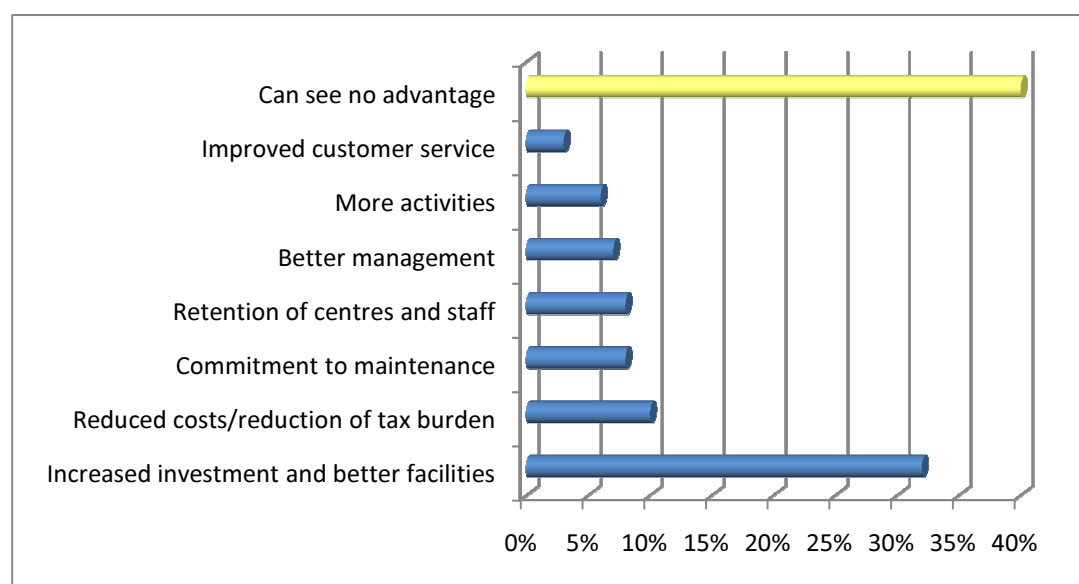
**Table 16: Advantages of proposed transfer**

<b>Theme</b>	<b>No. of respondents making this type of comment</b>	<b>Proportion of respondents making this type of comment</b>
Increased investment and better facilities	187	32%
Reduced costs/reduction of tax burden	58	10%
Commitment to maintenance	46	8%
Retention of centres and staff	45	8%
Better management	42	7%
More activities	33	6%
Improved customer service	20	3%
Can see no advantage	235	40%
<i>Total number of respondents<sup>4</sup></i>	<b>583</b>	

<sup>3</sup> Each response can contain between one and six comments, depending on how widely the respondent ranges in their observations.

<sup>4</sup> Several respondents make comments that are classified under more than one theme, so the total number of comments does not equate to the overall response. The total number is the total who made any response at all to the question on advantages - including those who answered negatively.

**Chart 16: Advantages of proposed transfer**



For those who view the proposals positively, the principal benefit is seen as the possibility of **investment in the facilities**, bringing them up to, or back to, the standards that respondents aspire to, and improving the user experience when using these facilities. There are advantages in the transfer of future large capital requirements to the private sector. Positive outcomes also include a **reduction of the costs** the Leisure Centres represent to the public purse, and hence a **reduced burden to the taxpayer** of the future.

There are several respondents who think that the transfer may also help **improve maintenance regimes**, as a private sector operator will have higher maintenance standards and will require the centres to present themselves well; this implies, and is sometimes accompanied by, criticism of current maintenance and cleanliness practices in some quarters. In similar vein, several respondents suggest that both operational and strategic **management of the centres will improve** when these are moved away from the Council and into the private sector, where (they suggest) greater flexibility, openness to innovation, and higher levels of management capability will all benefit operations. The private sector has an obligation to perform that is not as strong within a Council set-up, and can introduce specialist management for sites such as Broome Manor.

There are also respondents who think that the transfer is a means - for some the only means - of **securing the future** of the centres, and retaining experienced and capable staff, both of which are assets to the service and to the communities that benefit from them.

Some respondents believe that the transfer will allow **more activities** to develop within the centres; that once they emerge from within the constraints of Council control and budget limitations, there will be greater freedom to introduce new activities and widen the scope of existing ones. There is also a perspective suggesting that a private sector operator is likely to impose and demand higher **standards of customer service** from its staff.

Other advantages recognised by smaller numbers of respondents include the possibility of **improved pricing** and **opening** arrangements outside Council control, and also the possibility of **improved marketing**, promoting the centres to a wider audience and enhancing their potential to attract both local people and visitors to use them. These, together with investment in facilities, would lead to **wider take-up** of the service, and make it **more competitive** with its private sector rivals. The possibility of reducing or **eliminating the debt** is also welcomed by some.

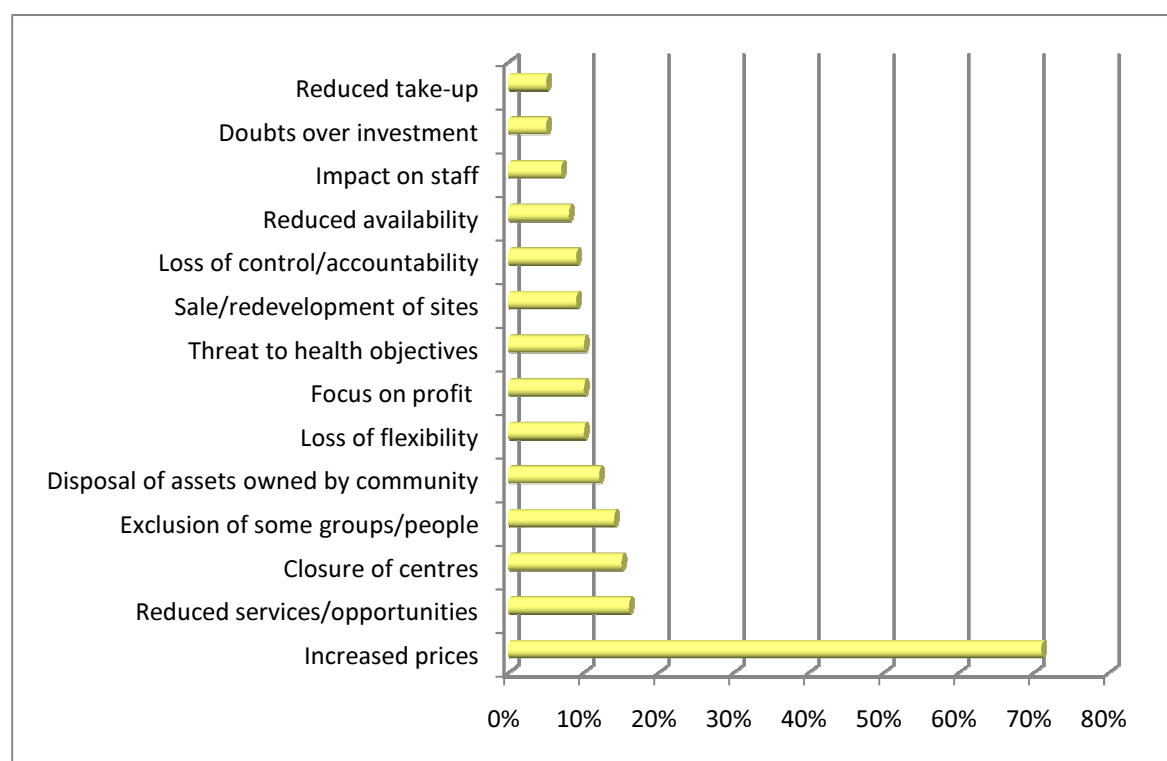
The largest single group of responses under the 'advantage' heading, however, is those who see **no advantage accruing** from the transfer. Two fifths of those answering this question do so by saying they see no advantage; many go on to expand this view under the question asking about disadvantages.

**Table 17: Disadvantages of proposed transfer**

<i>Theme</i>	<i>No. of respondents making this type of comment</i>	<i>Proportion of respondents making this type of comment</i>
Increased prices	446	71%
Reduced services/opportunities	106	16%
Closure of centres	102	15%
Exclusion of some groups/people	94	14%
Disposal of assets owned by community	83	12%
Loss of flexibility	69	10%
Threat to health objectives	64	10%
Sale/redevelopment of sites	63	9%
Focus on profit	66	10%
Loss of control/accountability	61	9%
Reduced availability	51	8%
Impact on staff	45	7%
Doubts over investment	34	5%
Reduced take-up	33	5%
<i>Total number of respondents<sup>5</sup></i>	<i>668</i>	

<sup>5</sup> Several respondents make comments that are classified under more than one theme, so the total number of comments does not equate to the overall response. The total number is the total who made any response at all to the question on disadvantages.

**Chart 17: Disadvantages of proposed transfer**



By far the greatest concern of those who see disadvantage in the transfer is the threat, possibility, likelihood, or even certainty of **increased charges** for using the centres. Well over two-thirds of those commenting negatively about the proposals raise this concern, and many see it as an inevitable consequence of the transfer; some see the possibility of monthly subscriptions replacing pay-as-you-go arrangements. The Council's observation that the centres are not currently profitable leads many to conclude that they can only become so (which would be necessary under private ownership) by increasing revenue through new charging regimes. The charges in question are not only those for using the facilities, but potentially also for parking, or for ancillary services such as refreshments.

No other issue emerges with anything like the strength of this one, but there are several other concerns raised widely among respondents. These include the possibility that services will be reduced, with the **closure of some activities** that cater for minority interests, which require specialist equipment or coaching, or which are deemed to expensive to continue under a structure that requires profitability. This could include sports and leisure activities, but also other activities that use the centres such as library services or private businesses, and the fair that uses Leisure Centre grounds. There is also a wide belief that **closure of some centres**, after the three year guarantee period, is inevitable, with the smaller centres being the most vulnerable to this action.

Minority interests also come into play in the idea that a new operator will be less motivated by **principles of equality and access**, and that vulnerable groups will suffer as a consequence. These include people on low incomes, including pensioners and young



families, who may not be able to pay the increased charges that appear likely, or who will lose their concessionary status in a profit-making environment; a private operator will not share the Council's commitment to those of limited means. They also include people who fear that group arrangements for specific needs, and also for meetings, will be lost as the centres seek to maximise take-up rather than widen access to the service, and concerns about the use of centres, and the costs, for school activities.

Several respondents draw attention to the fact that the Leisure Centres are in **community ownership**, and question the morality, and the legality, of the Council handing over community assets to a private sector operator to dispose of as they see fit. The phrase 'selling the family silver' is used in several responses, and resident anger is evident in this area. A small number draw attention to the basis on which these centres were provided, including community fundraising (unspecified locations including the Hydro), restrictive covenant (Croft, Broome Manor), donation to the community (Broome Manor, Highworth Golf), external funding (Croft) or joint ownership (Haydon) which, they believe, means the Council does not have a completely free legal (or moral) hand in transferring responsibility. There are also complications arising from access using unadopted roadways.

Others connect centres with heritage, notably the Health Hydro and , and are concerned that a property that is both a functional and a **heritage asset** may be lost or damaged. There are also those who are unhappy about the investment of public money already made in renovating premises such as the Link Centre and improving grounds at Croft and Highworth being handed over to private operators.

A perceived **loss of flexibility** is raised by several respondents, who clearly value the way their Cards or Passports allow them to mix and match their use of different centres to allow them to enjoy a range of facilities. These include people who use both Leisure and Golf centres, and also some who spread their allegiance across more than one Leisure Centre (sometimes including Highworth) who suspect that the transfer to new operators will mean this flexibility is lost. Their experience with the transfer of the Oasis to private operation tends to confirm this in their minds.

Swindon, in common with most other local authorities and public sector partnerships, has worked hard to promote a **healthy lifestyle** agenda, and several respondents suggest that the progress being made here is threatened by the proposed transfer. This seems to be largely based on fears that increased charges (or the erosion of concessions) will reduce take-up of the service, especially among younger people where obesity is a problem and among older people where physical activity can reduce the adverse effects of ageing. This will also adversely affect targets for participation in active leisure.

The future of the sites arises in several different ways. Their status as community assets has already been discussed separately, but alongside this is a suspicion that a new operator will see financial advantage in **alternative uses for some of the sites** now devoted to leisure, and will seek to dispose of the site, or to redevelop it as housing or commercial property. There are concerns that the contract is too generous in the latitude it gives to

make such a decision, and also that the financial reward to the authority under such circumstances will cloud the judgement of the Council in approving any such proposal at a future date. Some respondents point out that, once lost, these centres can never be recovered; but at least one organisation suggests that Broome Manor would serve the town better as housing.

The inevitability of a **focus on profit** is felt by several respondents, with some simply leaving this to speak for itself while others draw implications regarding charging, concessions, and the loss of valued but unprofitable activities, or even facilities, in the fullness of time. There are also implications for **levels of staffing and remuneration**, which are also identified as a separate theme, with some fearing redundancies, low pay, and other detrimental aspects of new contracts for staff. Some of these views, but by no means all, emerge from staff themselves who have contributed to the survey.

A **loss of control** is feared by several respondents, either because the management of an important service will lie outside the public domain, or because of the lack of accountability of the new operator to both users and to the wider community. Alongside this, there are also doubts about the Council's ability to negotiate a good deal for the people of Swindon, and about its capacity to monitor and enforce contract obligations.

**Reduced availability** is also a dimension of this, and could be reflected in the loss of choice of activities, shorter (or just different) opening times, rescheduling of reserved times for specific uses of facilities (such as lane swimming, aqua-robics etc.) and the need to maximise take-up working against those whose needs are in a minority. This is a particular concern of people with disabilities, who feel the present arrangements work well for them but who fear that they may not be as important to a new operator as they are to a public sector provider. The success of Broome Manor in coaching young golfers is also put at risk, according to some comments.

Although **investment** is the main advantage seen by those who have a positive view about the proposals, a significant number of people cast doubt on the reality of this. They suggest that the would-be operators' indications on investment may not come to much in the cold light of day, and some draw attention to the Oasis experience, where they say similar expectations of investment have not been fulfilled. **Reduced take-up** is, for some, a consequence of loss of concessions, increased prices, closures, or the removal of Leisure Cards.

Other disadvantages perceived by respondents include damage to the **town's standing** and reputation (as a result of the closures which they see as likely, and potentially reducing its attraction as a location for inward investment), **loss of staff expertise** from the Council as staff move to new employers, and **reduced maintenance** as new providers seek to reduce costs. Some respondents express concerns about the **length of the lease**, and the power this gives operators who may not be working for the good of the local community; comparisons with other Councils facing similar problems indicate that shorter leases are more commonplace, while concerns are raised that the deal as presented effectively creates

a land bank for the new operator, to be disposed of for other purposes in the right economic context.

There are respondents who question the **validity of a consultation exercise** at this stage of the negotiation, when expressions of interest are being invited and when a decision to proceed, they believe, has already been made. One jointly voiced opinion challenges the value of both the consultation and its supporting information, while another organisation calls for a restart of the process, and compliance with the agreed Consultation Policy.

Others raise the question of the Council's **underwriting** of the deal, which they fear puts the public purse at a disadvantage in the event of operator failure; and the lack of explanation of the recovery or buy-back arrangements should this prove necessary or desirable (for instance after a change of political control). Attention is also drawn to previous **outsourcing experience** in Swindon and elsewhere, which has not always achieved what was intended; Oasis is frequently cited in this respect. Possible uses of the centres for **non-sports leisure** are also suggested, with laments that these have not been investigated more fully against a background of busy community centres; one National Governing Body makes its support conditional on a transparent and robust process that ensures long-term viability of the centres.

There are small numbers of people on both sides of the argument who have **additional questions** that reduce their ability to assess the proposal, and who therefore call for increased information to be made available. These mainly relate to detail of the contract, enforcement of contract conditions, and monitoring of the leases, as well as transitional arrangements for cardholders.

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## **Appendix 3 – Options Appraisal – Leisure Commissioning**

**Cabinet Report 25<sup>th</sup> June 2014**

**Council Report 17 July 2014**

### **Leisure Transfer Proposals**

#### ***Analysis of consultation responses***



*Photo (c) Swindon Borough Council*

**A report by Phil Back Associates Ltd  
for Swindon Borough Council  
May 2014**

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## Executive summary

1. This report summarises a consultation managed by Swindon Borough Council, concerning proposals to transfer leisure assets at Croft and Dorcan to an external provider. The consultation closed on 15th April 2014, by which time a total of 449 responses had been received. Nearly 300 of these repeated a standard form of words provided by a local group protesting the proposals, and a further 72 responses presented a modification of this standard text.
2. A very high proportion of the responses relate specifically to the proposals as they affect Croft. In contrast, very few mention Dorcan specifically. This reflects the geographical distribution of responses, most of which emanate from the Old Town area. All respondents object to the proposals, with varying degrees of intensity, including a small number who concede some of the Council's argument.
3. A large proportion of respondents (86%) urge the Council to exclude the Croft car park, Marlborough Lane, and the Croft playing fields from the proposed transfer. Most respondents (89%) urge their retention in public ownership, as a means of securing continued recreational use for future generations.
4. Grounds for objecting to the proposals are based on
  - the content of the proposals themselves;
  - their impact on users, health, the environment, and the value of the space;
  - legal and process issues.
5. The main issue with the proposals themselves is the fear that they will lead ultimately to the re-use of the site for development, and hence its loss as a green space and recreational space. There are also concerns over the three-year clause and the length of the lease being offered.
6. The perceived impact of the proposals is largely based on an assumption that redevelopment of the site will take place. There are concerns over the loss of community facilities which are widely valued and needed, both locally and for Swindon generally. It is suggested they are especially important to children and young people, and to local sports clubs, and that their loss would be inconsistent with widely promoted anti-obesity and pro-exercise messages. There are also environmental concerns over loss of green space and access to adjoining woodland.
7. Several respondents believe that the Council has not followed due legal process, particularly in the way it has managed the consultation, notified potentially interested parties, and in the provision of information about its proposals.
8. The Council is urged to reconsider its view, and to remember that it acts as custodians of the site on behalf of the wider community. It is accused of taking a short-term view to the detriment of the longer-term needs and aspirations of the local community.

## 1 Introduction and methodology

Swindon Borough Council faces a significant financial challenge, needing to address a substantial budget gap over the course of the next three years, and requiring the authority to consider alternative ways of delivering its services. In response to this, the Council is considering a disposal, through long lease, of playing fields and land used by schools for recreational purposes at both Croft Sports Centre and Dorcan Sports Centre, alongside a proposal to invite external organisations to bid to take over running of Council leisure centres and golf courses.

Information about the proposed disposal of the two sets of playing fields was posted on a Council website, and users of the two facilities were informed of the proposal and invited to submit their comments and opinions on the proposal, either by e-mail or by letter. A formal Notice of Consultation under S.77 of the Schools Standards and Framework Act 1998 (as amended) and Schedule 1 to the Academies Act 2010 was issued by the Council.

This consultation was additional to a more general public consultation on the proposed transfer of Leisure Centres and Golf Courses, which has been reported on separately.

In addition, a local residents' association in the Croft area publicised the consultation with the aim of mobilising opinion against the proposed disposal, distributing a leaflet headlined 'Stop Croft Fields Being Sold', and offered a draft letter which objectors could use, or modify, to register their objection to the proposal.

The text of the standard letter read as follows:

*'I note the consultation ending on 15th April and I am concerned about the future of Croft Playing Fields. I call upon Swindon Borough Council to take the car park, Marlborough Lane and the playing fields out of the lease to a third party operator, so as to keep it in public ownership for future generations.'*

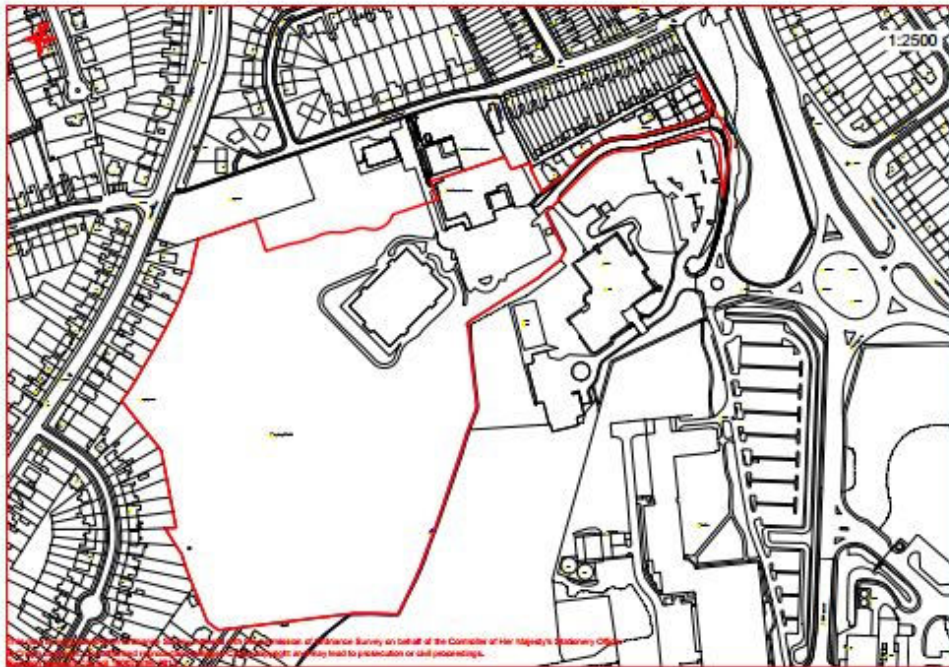
Those using the standard letter were also asked to supply a name and address alongside their signature. Most responses are from individuals, but there are a number from people responding on behalf of local organisations including residents' groups, sports clubs, and political entities.

Moreover, a petition was collected and submitted separately to the Council. The wording of the petition follows closely the text of the standard letter, adding a note that the playing fields are well used. The signatories to the petition are not included in this analysis as the Council will need to follow a specific process for responding to this, and because we are unable to determine whether signatories have also responded individually, since personal details have been redacted.

Plans of the two sites in question are included here:

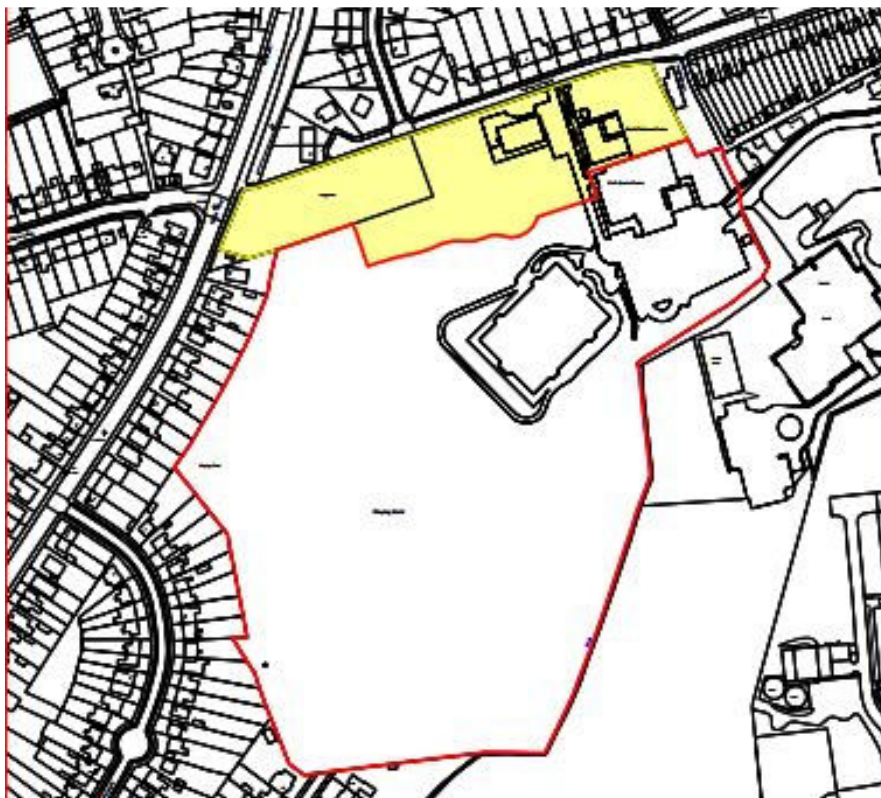


**Map 1a: Croft Playing Fields**



The proposal for Croft was modified during the consultation to exclude Marlborough Lane and a new map was published to illustrate this:

**Map 1b: Croft Playing Fields (revised map)**



**Map 2: Dorcan Playing Fields**



Consultation on the disposal closed on 15 April 2014. By this date **a total of 449 responses** had been received; 252 on paper and 197 electronically. The responses have been sent to us for analysis of their content, but in keeping with standard practice on confidentiality, personal details provided in the responses have been redacted before leaving the Council's premises. However, a separate file of postcodes taken from the responses (but not linked to them in any way) has also been provided to us for a geographical analysis of response.

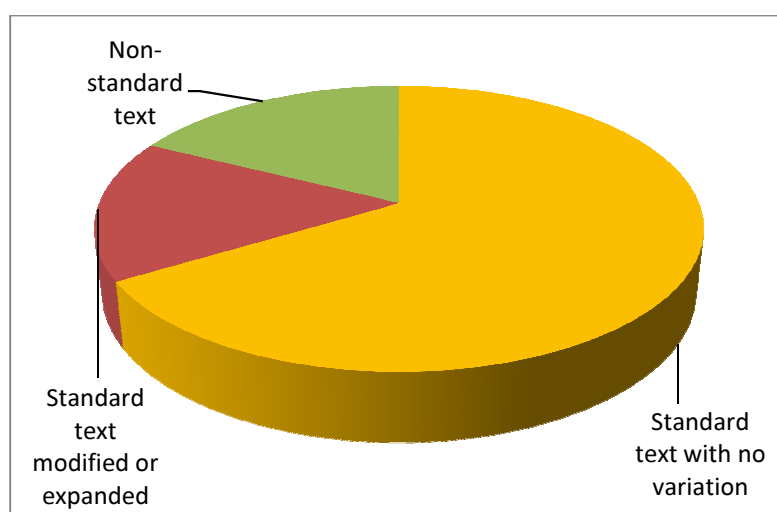
Analysis has been undertaken by reading each response carefully and identifying the different observations made therein. Some responses are, inevitably, more detailed and complex than others, or make more points which require to be recognised, and almost all responses (including those using only the standard text) cover multiple issues or make multiple arguments, so the total numbers of comments examined in this report greatly exceeds the total number of responses.

Some responses follow the text of the campaign letter noted above; some use this text but elaborate further on their concerns; some submit a response which is written independently of this text. The breakdown of responses is shown here:

**Table 1: Breakdown of response**

Type of response	No. of responses	Proportion of all responses
Standard text with no variation	298	66%
Standard text modified or expanded	72	16%
Non-standard text	79	18%
<b>Total</b>	<b>449</b>	

**Chart 1: Breakdown of response**



It is not our role to comment on the validity or otherwise of the observations being made, simply to ensure that these views are included in our analysis and commentary. Specifically, where individuals or organisations suggest violations of due process, or recourse to legal remedies, we report these but can offer no formal comment beyond this.

It is also important to note that this report is thus a study of people's perceptions, which may or may not be factually correct, but which, by virtue of being their conviction, undoubtedly shape their view nevertheless.

## 2 The pattern of response

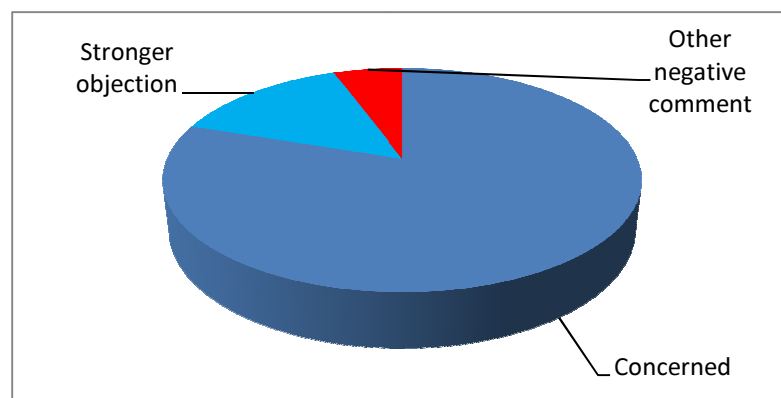
### 2.1 Overall position

This table summarises the overall conclusion respondents have reached on the proposals:

**Table 2: Overall response**

Overall response	No. of responses	Proportion of responses
Concerned	360	80%
Stronger objection	64	14%
Other negative comment	25	6%
<b>Total</b>	<b>449</b>	

**Chart 2: Overall response**



Almost everyone responding to the consultation expresses either concern, or some stronger negative reaction, to the proposals. Most voice their 'concern', following the lead of the standard letter, but among these are some who modify this word to something stronger, indicating a greater depth of feeling than those who drafted the standard text may have anticipated. Those who write independently of the standard text also use a variety of language that ranges from concern to alarm and even disgust.

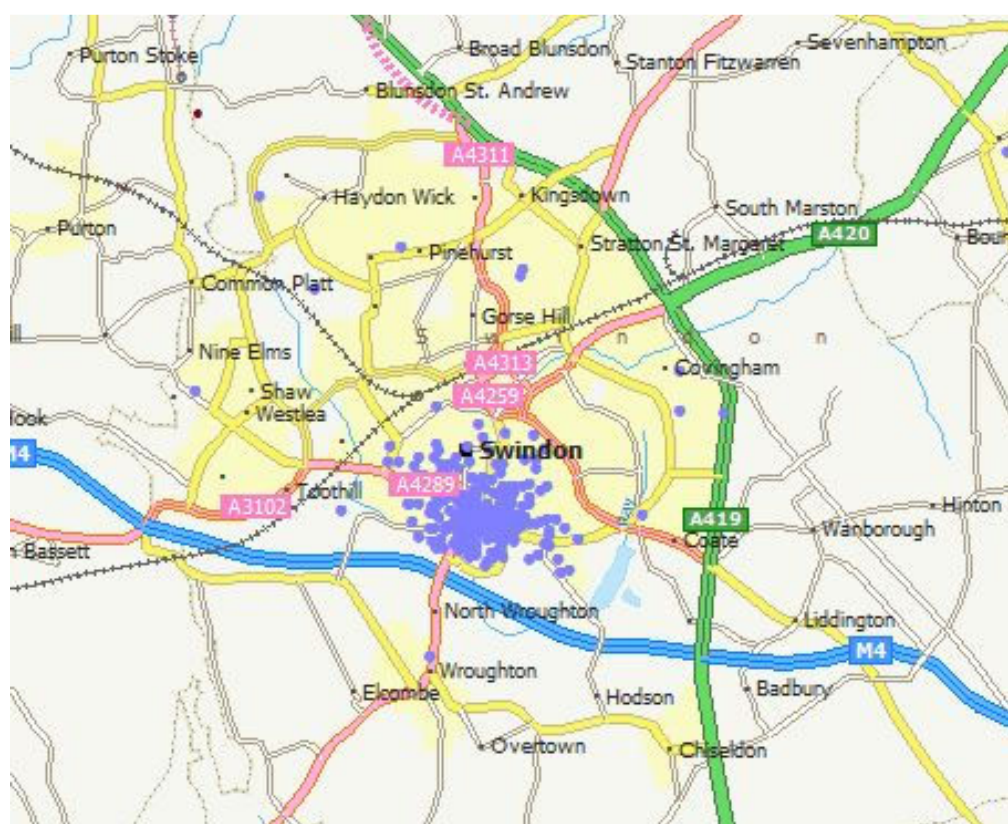
What all these responses have in common is that everyone who has contributed to the consultation expresses a negative view of some description and intensity on the proposals. Even those who concede part of the argument nevertheless stay committed to a position that opposes the plans; not one respondent voices support for them.



It also has to be noted that most (though not all) of the responses focus exclusively on the Croft site. The standard letter only refers to this site and so too do most of the responses. Just four specifically mention Dorcan, although another four express concern over the Council's leisure proposals in general, and five others raise issues about other sites such as the golf courses and the Hydro. The low level of response concerning Dorcan may indicate a more benign attitude to change at this site, or may simply reflect a lack of the activism in that area which has characterised the response concerning Croft.

This focus on Croft in particular is confirmed by analysing the distribution of respondents' postcodes, as is done in this map:

**Map 3: Postcodes of respondents**



Although there are responses from other areas of Swindon, and even a small number from well beyond the Borough boundary that do not appear on this map, the vast bulk of response is concentrated in the Old Town area. Even in the Dorcan area, included in the consultation proposals, response is very limited.

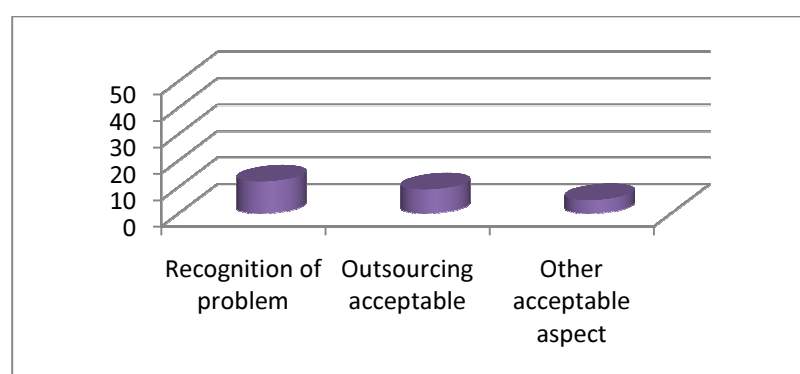
## 2.2 Acceptable aspects

Most respondents are completely negative about the proposals, but a small number concede some of the argument being made by the Council, as this table suggests:

**Table 3: Acceptable aspects**

Aspect	No. of responses
Recognition of problem	12
Outsourcing acceptable	9
Other acceptable aspect	5
<b>Total</b>	<b>26</b>

**Chart 3: Acceptable aspects**



There is some recognition of the challenge that the Council faces in terms of its **budget**; but this is always qualified by a further statement indicating that the respondent still finds the proposed solution wanting in some respect. The same is true of those who have no objection in principle to the idea of **outsourcing** part or all of the service, but still feel the proposals are defective. These include some who want to separate the land from the buildings, and to outsource the latter only.

Other aspects found acceptable include the idea that someone could make a profit from Swindon's leisure facilities, the possibility that this process will lead to facility improvement, and even a recognition of the need for more housing (though this is disputed by others). One respondent indicates a wish to pay more so that these facilities can be retained.

## 2.3 Alternative suggestions

A small number of respondents make suggestions as to alternative approaches they would prefer to the proposals on offer. Primarily these focus on two issues: the suggestion that the buildings are leased out, but not the land; and the desirability of retaining the whole site (i.e. Croft) under Council management. There are also individuals who suggest a Charitable Trust solution, a lease for services only, and a lease to the school.

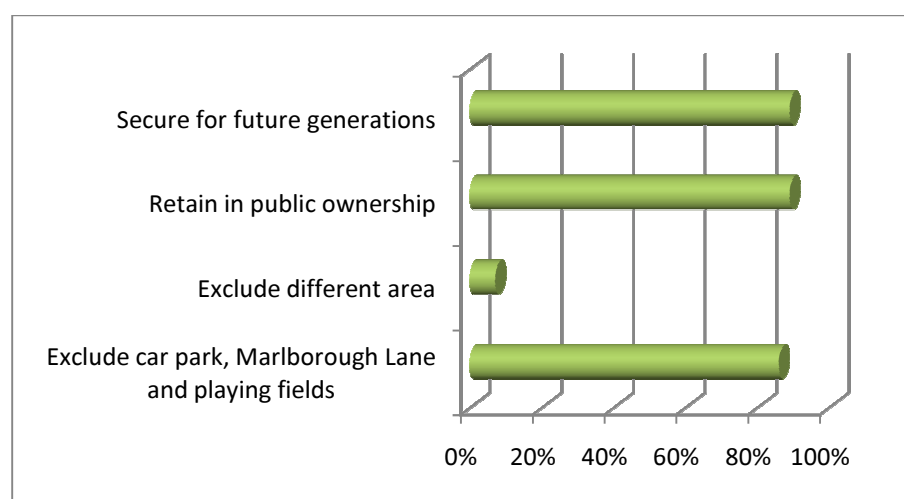
### 3 The key points made by respondents

A total of 370 respondents used either the standard text or a modification of it; some of the free text respondents also incorporate elements of the standard text, or expressed similar views in different language. Three issues are covered in the standard text, as set out in the table below, but the modified answers mean that the numbers responding for each of the three elements are not identical, since some respondents did not include the whole of the text.

**Table 4: Main areas of response**

Aspect	No. of responses	Proportion of responses
Exclude car park, Marlborough Lane and playing fields	388	86%
Exclude different area	31	7%
Retain in public ownership	401	89%
Secure for future generations	399	89%
<b>Total number of responses</b>	<b>449</b>	

**Chart 4: Main areas of response**



There is strong support within this consultation to have the **Croft Car Park, Marlborough Lane and the Croft Playing Fields** removed from the leisure transfer proposals. In addition to the 388 people who support this view, a further 31 people call for a variation on this statement, usually omitting Marlborough Lane from the mix; some people suggest that

Marlborough Lane was actually removed from the proposals during the consultation, following concerns expressed by residents.

A small number of people - four in total - include Dorcan in their representation.

Almost everyone responding to the consultation calls for the car park, Marlborough Lane, and Croft playing fields to **remain in public ownership**, rather than being transferred to a private operator.

A similar number also believe that this will secure the property in question for use and benefit of **future generations** of people.



## 4 Grounds for objection

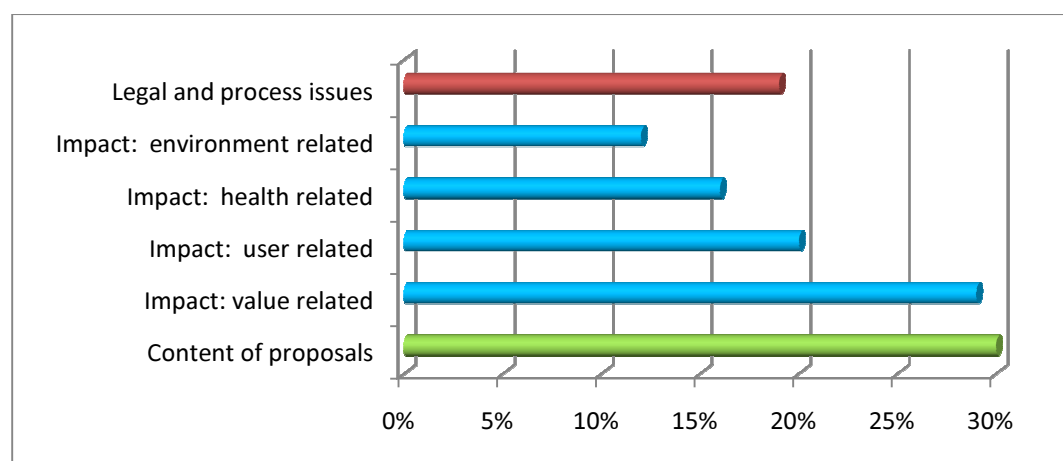
Comments can be simple and straightforward, focussing on a single point the respondent wishes to make; or more complex, addressing a number of issues. Many comments address similar concerns or issues, and these can be grouped together into broad thematic areas so as to allow a clearer picture to emerge. In this analysis, each issue mentioned is treated individually, so that a single response may touch on several issues, and thus be counted several times.

The grounds for objection to the proposals range widely, and are detailed in this section. In general, though, this table shows the broad reasons why people dislike the proposals being put forward in this consultation.

**Table 5: Broad grounds for objection**

Broad area	No. of responses	Proportion of all respondents
Content of proposals	135	30%
Impact: value related	130	29%
Impact: user related	89	20%
Impact: health related	72	16%
Impact: environment related	55	12%
Legal and process issues	84	19%
<b>Total</b>	<b>449</b>	

**Chart 5: Broad grounds for objection**



Objections resolve into three broad areas: the **content** of the proposals, their **impact** in different areas of life, and concerns over the **legalities** and the process being pursued by the authority. Each of these is examined in detail below, with the impact concerns broken down according to the broad areas which respondents are concerned about.

#### 4.1`Grounds for objection: content of proposals

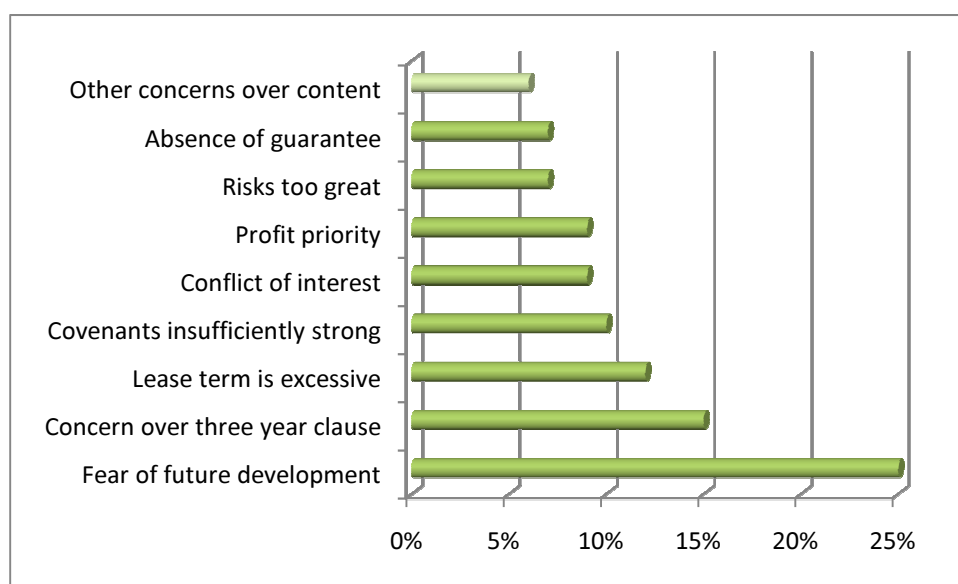
Several objections refer to the content of the proposals and base part or all of their objection on this. Their views are summarised in this table:

**Table 6: Grounds for objection: content of proposals**

Specific reason	No. of responses	Proportion of responses in this table <sup>1</sup>
Fear of future development	34	25%
Concern over three year clause	20	15%
Lease term is excessive	16	12%
Covenants insufficiently strong	14	10%
Conflict of interest	12	9%
Profit priority	12	9%
Risks too great	10	7%
Absence of guarantee	9	7%
Other concerns over content	8	6%
<b>Total of all comments</b>	<b>135</b>	

<sup>1</sup> In this table, and in those that follow, the proportions are shown as a proportion of those responses that fall into each table, rather than as a proportion of the total response.

**Chart 6: Grounds for objection: content of proposals**



A major concern of objectors is the fear that, once transferred to a new operator under a long lease, the site will be vulnerable to alternative use. There is a strong belief that this disposal is a prelude to the release of this land for **housing development** with the consequent loss of playing fields and green space. This position is explicit in many comments but is an underlying assumption in many more, as the Impact section later in this report makes clear.

Linked to this is the **three-year clause**. Respondents believe that this clause allows the new operator to seek a change of use, and potential development, after a short period within the context of a long lease; and that this is excessively generous to a bidder. It is also pointed out that the terms of the lease do not provide **any guarantee** of future recreational provision, and this too provides grounds for objection. Although the Council has drawn attention to the existence of a **covenant on the Croft site**, dating from the time of its gift to the public, several respondents are not convinced by the resilience of this, and do not believe that the covenant offers the degree of protection they would seek.

Some go further and suggest that an operator taking a longer view might deliberately engineer a situation in which invoking the three year clause would be perceived as advantageous; the Council's share of any future revenue from the site would then constitute a **conflict of interest** which would be unlikely to be resolved in favour of community facilities.

The **length of the proposed lease**, at 99 years (some believe it to be 999 years) is also challenged. Several respondents believe this is excessive, and some draw attention to similar arrangements made by other Councils to address funding issues in leisure, using shorter long lease terms of 25 or even 10 years. It is noted by some that the lease being proposed for Swindon effectively lasts for three generations.

There are also some respondents who suggest that the motives of a new operator will be **driven by profit** rather than by community need. This in turn means that the **risks** inherent in the proposed arrangements are too great to be acceptable.

Other issues relating to the terms of the proposals include the desirability of including obligations regarding maintenance, and security of access. One respondent also points out that loss of the fields would inhibit any future expansion of the school.

## 4.2 Grounds for objection: impact of proposals

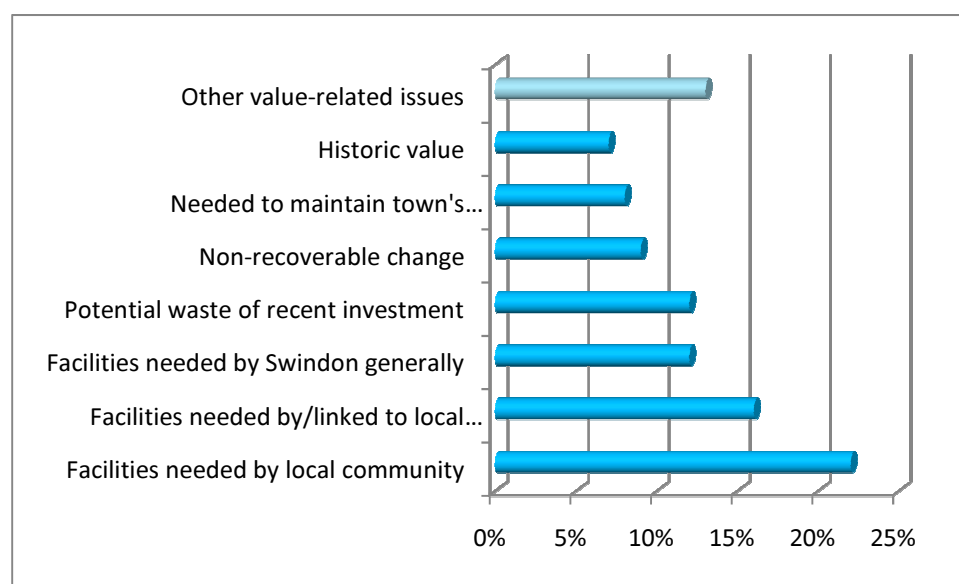
Several objections have to do with the impact people perceive that the proposals will have, if implemented. These impact-related issues have been grouped together for analysis and are set out in the tables that follow.

Virtually all the objections in this section start from the assumption that the lease to an external organisation will inevitably be followed by disposal of the land for redevelopment, with housing being the most likely outcome. The fact that this underlies so many of the comments suggests a lack of confidence that the outcome of this transfer will be anything other than negative in terms of the present use and amenity of the site.

**Table 7: Grounds for objection: value of facilities**

Specific reason	No. of responses	Proportion of responses in this table
Facilities needed by local community	29	22%
Facilities needed by/linked to local schools	21	16%
Facilities needed by Swindon generally	16	12%
Potential waste of recent investment	16	12%
Non-recoverable change	12	9%
Needed to maintain town's reputation/appeal	10	8%
Historic value	9	7%
Other value-related issues	17	13%
<b>Total of all comments</b>	<b>130</b>	

**Chart 7: Grounds for objection: value of facilities**



The most frequently voiced issue under this heading is that the facilities in question (which are almost always the Croft facilities) are a significant provision for the **local community** in the Old Town, such that their loss (which many see as inevitable, or at least likely) would damage the local community. There is a particular concern about the **impact on local schools**, not least the one recently built using part of the Croft fields, which use the open space at the site for recreation and physical education. Some respondents draw attention to the significant **external investment** made in these facilities, by the Football Association and others, and the potential for wasting this if the land is ultimately sold off for development.

There is also a view that Swindon in general cannot afford to **lose facilities** (and again there is an underlying assumption that this is what will happen). Facilities such as those covered by the proposals are necessary not only for local residents but also as part of the wider **appeal of the town** to potential new residents, and to future investment. Loss of green space is seen as a **non-recoverable situation**: once lost, it is rarely recovered. The **historic use** of the site for recreation and sport is mentioned and clearly an element in the value of the site for some respondents.

Other issues related to value include a fear that the loss of this space will damage the prospects for any similar future investment, by damaging the confidence of funders in the town's commitment to sport. The facilities are viewed as important for the sustainability of sports clubs, as well as for the pleasure and enjoyment of more casual visitors, and also have a value to workplaces in the community which use them for sport. The all-weather pitches are an especially valuable resource in regard to usage.

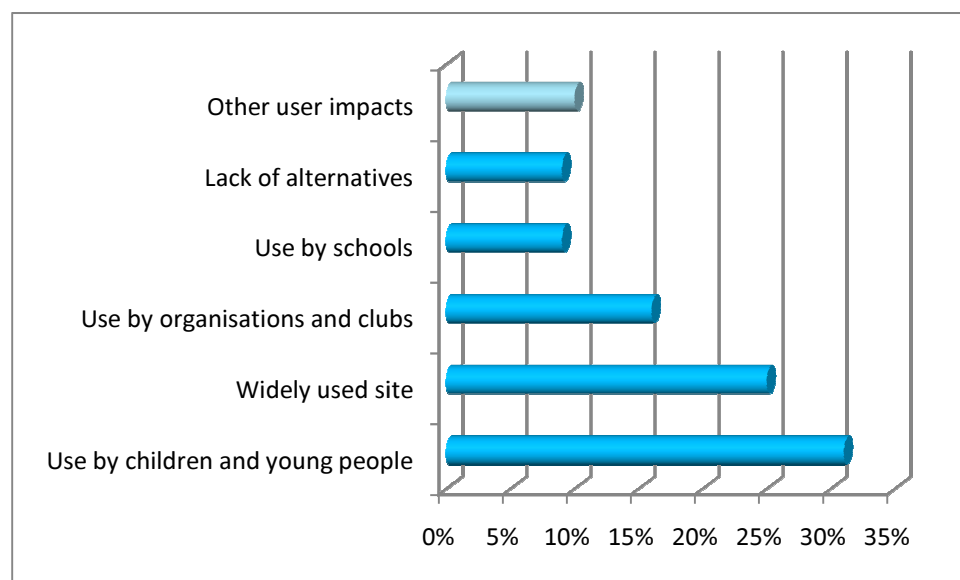
### 4.3 Grounds for objection: user impacts

User impacts are an important area in themselves, and are summarised in this table:

**Table 8: Grounds for objection: Impacts on users**

Specific reason	No. of responses	Proportion of responses in this table
Use by children and young people	28	31%
Widely used site	22	25%
Use by organisations and clubs	14	16%
Use by schools	8	9%
Lack of alternatives	8	9%
Other user impacts	9	10%
<b>Total of all comments</b>	<b>89</b>	

**Chart 8: Grounds for objection: Impacts on users**



The largest user impact foreseen from these proposals (again, many respondents assume the transfer is the prelude to a loss of the amenities) is the **impact on children and young people**, especially in the Old Town community but also further afield. Several respondents comment on the fact that their children use the facilities, or have played there in earlier

years, and that this space is an important one for which there are **few alternatives** within easy reach of this area of Swindon.

The site is also noted by several respondents as being a popular and **well-used location**. As well as children, the fields are important to several **clubs** (for young people and adults) and are also used by local **schools**. The impact for school users is not limited to the fields; the loss of the **car park** is expected to have a serious consequence in terms of access to the school site, and on neighbouring streets.

At least one local workplace, and a small number of families, use the site for informal sport, and there are also concerns about the impact on low-income and concession groups if a private operator takes over.

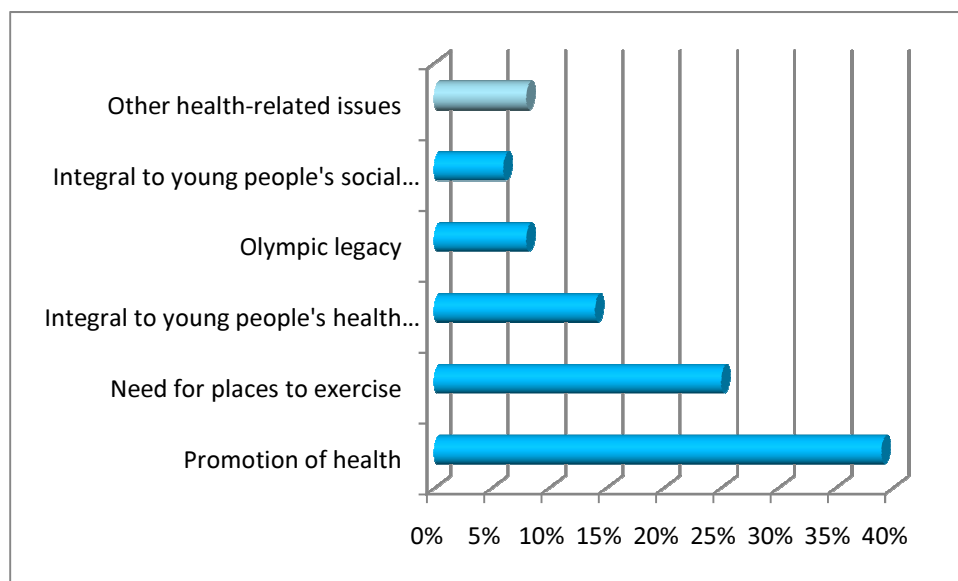
#### 4.4 Grounds for objection: health impacts

There are several concerns expressed about the possible impact on health (assuming the site is lost), and these are summarised below:

**Table 9: Grounds for objection: health**

Specific reason	No. of responses	Proportion of responses in this table
Promotion of health	28	39%
Need for places to exercise	18	25%
Integral to young people's health specifically	10	14%
Olympic legacy	6	8%
Integral to young people's social development	4	6%
Other health-related issues	6	8%
<b>Total number of comments</b>	<b>72</b>	

**Chart 9: Grounds for objection: health**



Several respondents draw attention to the inconsistency between the loss of an important recreational resource (as they see it) and the promotion of **health and anti-obesity messages** that they have observed in recent years. They find it incongruous that the Council would put a site like this at risk while encouraging people, and especially children and young people, to adopt a more healthy, exercise-based lifestyle. The town needs places where **exercise can take place**, and this is an important local provision in that respect, especially as regards the health of **younger residents**; young people also acquire **social skills**, and develop friendships, through participation, and this too would be put at risk.

There is also, to some people, a mismatch between the loss of this site and the **Olympic legacy**, which was supposed to encourage increased participation in sport and active recreation.

Other health-related concerns include the wider contribution open space makes to mental health and overall quality of life, and the future cost of failing to promote, and provide for, health and exercise.



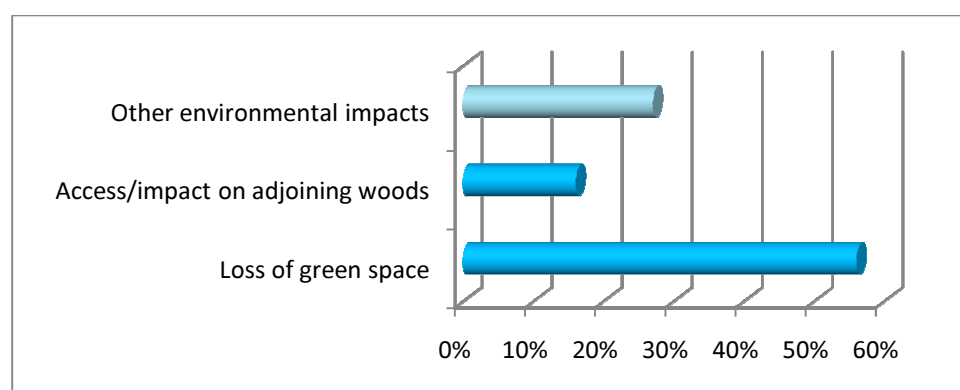
#### 4.5 Grounds for objection: environmental impacts

Environmental consequences are also a concern, and they are summarised here:

**Table 10: Grounds for objection: environment**

Specific reason	No. of responses	Proportion of responses in this table
Loss of green space	31	56%
Access/impact on adjoining woods	9	16%
Other environmental impacts	15	27%
<b>Total number of comments</b>	<b>55</b>	

**Chart 10: Grounds for objection: environment**



By far the most common concern over the impact of the proposals is the potential for **loss of green space**. This is regardless of whether the respondent themselves uses it; many clearly value green space as a local amenity that increases the attractiveness of the area as a place to live, and there are others who fear that the loss of this space will be followed by erosion of the green belt.

A number of respondents mention, and some enjoy, the neighbouring woodland that adjoins the Croft site, and where bluebells appear to be an attraction; they fear that loss of the playing fields would put this site at risk also, or would at the very least **impede access to the woods**.

Some respondents suggest that Swindon has enough brownfield land to accommodate any immediate need for housing, and that this should be utilised first; others note that the fields have already been compromised by the decision to build a school there. There are also small pockets of concern for local trees and wildlife.

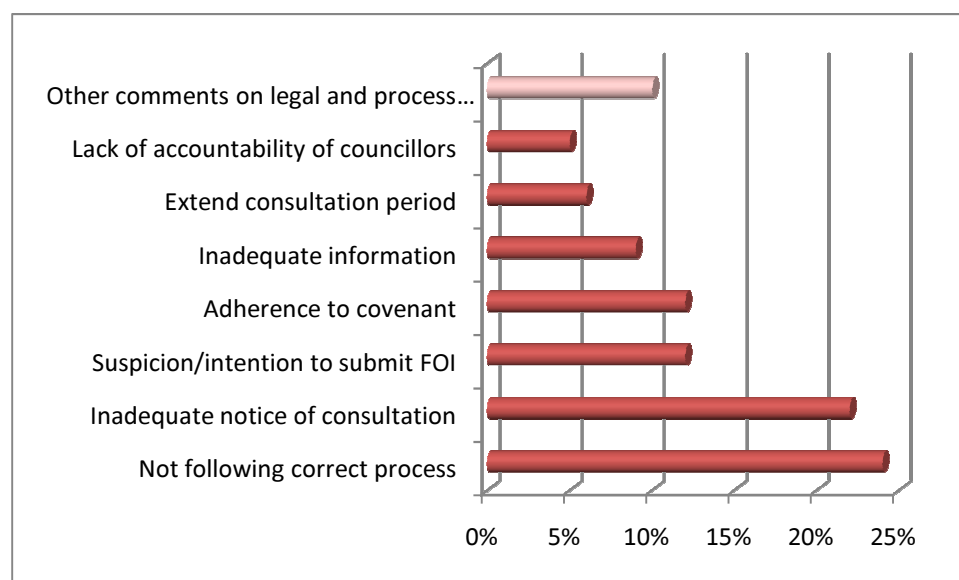
#### 4.6 Grounds for objection: Legal and process issues

A number of objectors raise questions concerning the legal aspects of the plan, and/or the consultation process.

**Table 11: Grounds for objection: legal and process issues**

Specific reason	No. of responses	Proportion of responses in this table
Not following correct process	20	24%
Inadequate notice of consultation	19	22%
Suspicion/intention to submit FOI	10	12%
Adherence to covenant	10	12%
Inadequate information	8	9%
Extend consultation period	5	6%
Lack of accountability of councillors	4	5%
Other comments on legal and process issues	9	10%
<b>Total number of comments</b>	<b>85</b>	

**Chart 11: Grounds for objection: legal and process issues**



Some respondents argue that the Council has **failed to follow the correct process** of consultation, referring in the main to the statutory requirements under which the consultation was carried out; one claims that the consultation does not comply with the Council's own agreed consultation standards.

Several respondents raise issues about the consultation. There are complaints about **inadequate notice**, failure to advise close neighbours to the Croft fields, and in one instance the alleged inclusion, without notice, of someone's front garden in the proposals. A perceived failure to provide sufficient notice leads some to call for **an extension of the consultation** period.

Respondents also complain that notices in the Leisure Centres were insufficiently prominent, and some draw cynical conclusions from this and question the real intentions of the authority in seeking public opinion. They also suggest that the **information provided by the Council** has been incomplete and insufficient to properly inform the consultation to the extent required by the legislation in question.

These shortcomings, as people see them, fuel **suspicion** that the council is not being even-handed in this consultation and that it is either token, or deliberately being engineered to minimise objection. A small number of objectors announce an intention to use Freedom of Information legislation to pursue their enquiries further. There are also a few concerns about **Councillor accountability**, which seem to arise from the absence of any local councillors at a recent public meeting to discuss resident concerns.

The **covenant on the Croft site** has already been raised elsewhere, but some respondents suggest the Council should adhere to it and ensure that it is enforced.

Other issues under this broad heading include the absence of any commercial review of the proposal, a perceived failure to listen to what local people have to say, and the existence of a Joint Use agreement (with Dorcan School) which has not been taken into account.

#### **4.7 Dorcan**

A large proportion of the objections relate specifically to the Croft property, with only a small number focussing on Dorcan; some (particularly those to do with legal and process issues) could be allocated against both sites, but only a very few comments are made specifically about Dorcan.

Some of these echo comments already discussed concerning Croft, such as the health impact, the value people place on the facilities, and their importance in supporting school needs. There are also concerns over future costs of using a transferred site, especially for those currently entitled to concessionary access; and the loss of opportunities for integration with other local provision.

## 5 Respondents and the Council

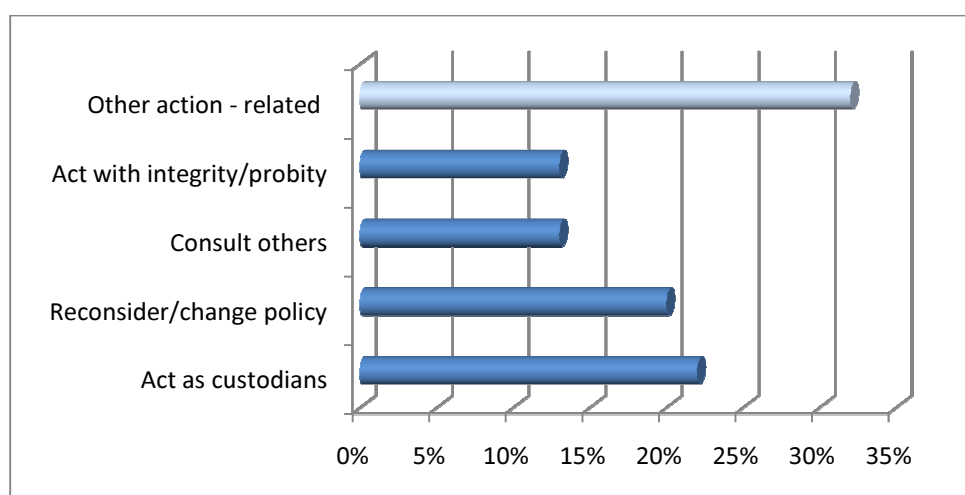
There are two dimensions to responses that discuss the local authority: those that call for action from the Council, and those who express an opinion (usually critical) about the Council on the basis of these proposals. The two dimensions are summarised below:

### 5.1 Action required from Council

**Table 12: Action required from Council**

Specific action	No. of responses	Proportion of responses in this table
Act as custodians	13	22%
Reconsider/change policy	12	20%
Consult others	8	13%
Act with integrity/probity	8	13%
Other action - related comments	19	32%
<b>Total number of comments</b>	<b>60</b>	

**Chart 12: Action required from Council**



Several respondents call on the Council to act as **custodians of the property** in the proposals. Some point out that the property in question was gifted to the people of Swindon, rather than to the Council, and although the local authority may be the legal owner, there is a wider duty owed to the population in general. The Council is also urged to **act with integrity**, some respondents implying that this is less than evident in its dealings so far.

The main action requested from the authority is that it should **reconsider its position** on the disposal of these assets; some go further and urge a change of policy. The need to **consult others** is also present in these responses, with calls to invite the opinions of the Charity Commission, the clubs who use the space, and the funding bodies who contributed to the improvement in sports facilities.<sup>2</sup>

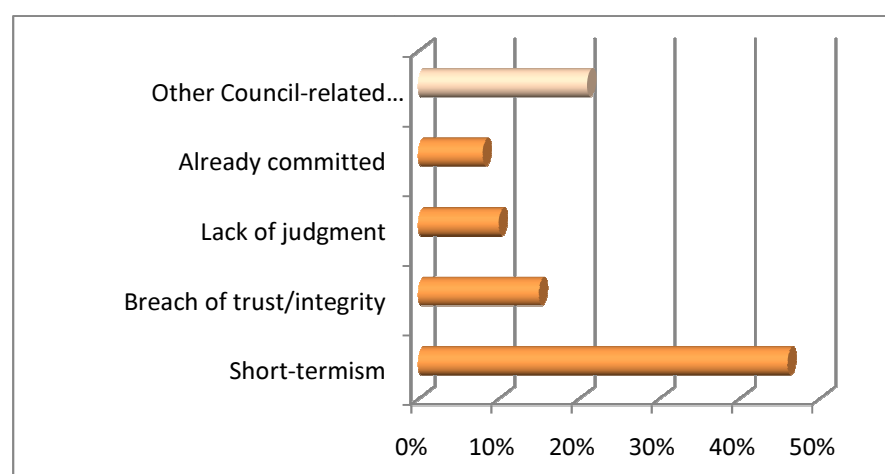
Other comments include a desire for the Council to halt the present process and take corrective action on the perceived legal and process issues discussed elsewhere, and to provide additional or more comprehensive information (including publishing the results of consultation). There are also requests from individuals for Council comment on their submissions.

## 5.2 Expressions of opinion about Council

**Table 13: Opinion of Council**

Opinion	No. of responses	Proportion of comments in this table
Short-termism	24	46%
Breach of trust/integrity	8	15%
Lack of judgment	5	10%
Already committed	4	8%
Other Council-related comments	11	21%
<b>Total number of comments</b>	<b>52</b>	

**Chart 13: Opinion of Council**



<sup>2</sup> We understand that around 80 clubs, organisations and interest groups were formally invited to take part in the consultation, though by no means all have done so.

The main criticism of the Council is for **failing to think long-term** in addressing this issue; the need for funding is, in some people's opinion, driving a short-term approach which will not be in the long-term interests of the community. This is also interpreted as a **lack of good judgment**, and even a **breach of trust** (this is linked to the custodian issue above, suggesting that the Council is failing in its civic responsibilities). Some suggest that the consultation is tokenistic, in that the Council is **already committed** to taking the proposals forward.

Other comments about the Council include a failure to heed the representations and protests made on this issue, expressions of disappointment and frustration, and the suggestion that the decision will prove unpopular when tested in future elections.

**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.

<b>Leisure centres</b>	<b>Full Year Actual Expenditure 13 14</b>	<b>Full Year Actual Income 13 14</b>	<b>Full Year Net (Cost) / Surplus 13/14</b>
<b>Site name</b>			
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)
<b>Total</b>	<b>(4,275,355)</b>	<b>4,199,354</b>	<b>(76,001)</b>

**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)
	<b>(1,221,063)</b>	<b>12,624</b>	<b>(1,208,439)</b>

<b>Total excluding Highworth Recreational Centre</b>	<b>(5,496,418)</b>	<b>4,211,978</b>	<b>(1,284,440)</b>
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Highworth Rec	(493,572)	473,597	(19,975)
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<b>Total including Highworth Recreational Centre</b>	<b>(5,989,990)</b>	<b>4,685,575</b>	<b>(1,304,415)</b>
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<b>Golf Courses</b>	<b>Full Year Actual Expenditure 13 14</b>	<b>Full Year Actual Income 13 14</b>	<b>Net (Cost) / Surplus 13/14</b>
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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)
	<b>(1,229,152)</b>	<b>1,170,953</b>	<b>(58,199)</b>

#### **Overheads**

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

#### **Total Golf**

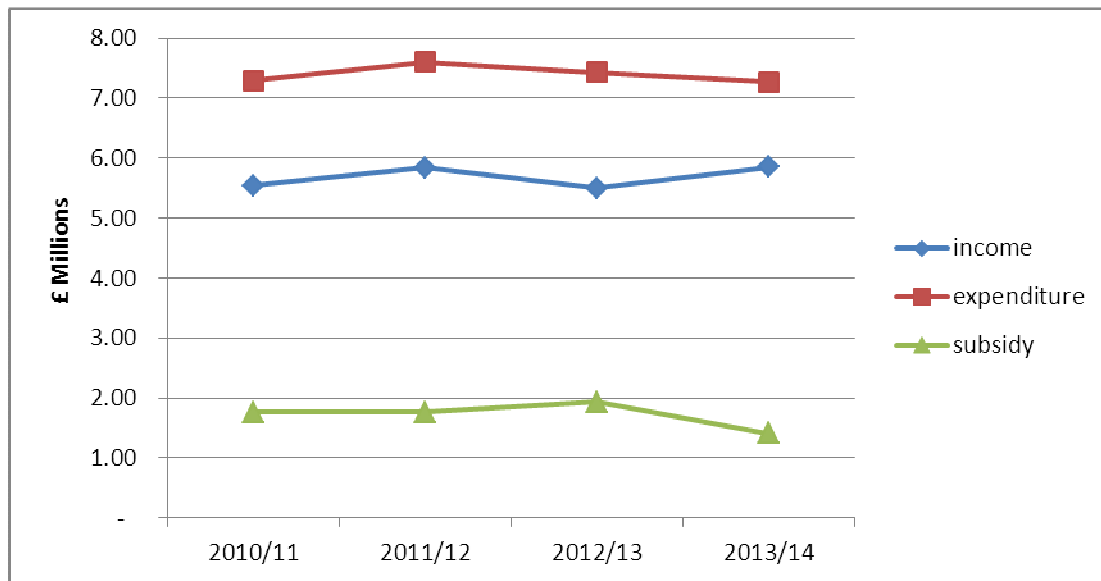
<b>(1,278,452)</b>	<b>1,170,953</b>	<b>(107,499)</b>
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<b>Leisure and Golf combined</b>	<b>Full Year Actual Expenditure 13 14</b>	<b>Full Year Actual Income 13 14</b>	<b>Net (Cost) / Surplus 13/14</b>
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Leisure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



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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## **CABINET**

**WEDNESDAY, 25 JUNE 2014**

### **5. Options Appraisal - Leisure Commissioning.**

The Cabinet Member for Corporate Services and Leisure and the Board Director, Service Delivery submitted a joint report concerning the implementation of the next stage of the Leisure and Culture Commissioning change programme in respect of the Council's leisure and golf facilities, which will ensure the most viable option for continued delivery of a sustainable provision within the Borough. The report outlines the results of additional consultation and engagement, and will be considered by both Cabinet and Council.

Councillor Keith Williams, Cabinet Member for Corporate Services and Leisure, introduced the report and referred to how the proposals will both reduce the leisure subsidy to zero and remove any maintenance costs to the Council. He noted the two prospective providers that have been shortlisted, and set out their suitability and commitment to these proposals.

Councillor Des Moffatt (Rodbourne Cheney Ward) welcomed the exclusion of Moredon Golf from the proposals and asked for further consideration of the area with a view to creating a sports and leisure hub with possible third party management of the site.

Councillor Williams noted that proposals for the Moredon Golf site are aspirational and would require funding. Sport England is keen to develop sporting hubs, but local support would be required to move proposals forward.

Councillor Jim Robbins, Opposition Spokesperson for Leisure, Libraries and Culture, indicated his support of the proposals contained within the report, and noted the possibility of Haydon Wick Parish Council taking over responsibility for the Haydon Centre. He also suggested that the Council should retain golf courses rather than lease them out, and asked that the Croft playing fields be removed from the proposals with Greenwich Leisure Limited (GLL) managing them on the Council's behalf.

Sue Mendham, Head of Commercial Services, advised that representatives of Haydon Wick Parish Council had attended the soft market testing meetings undertaken by the Council in June 2013, but unfortunately had been unable to answer the questions supplied in advance of the meeting. She further advised that the Council had tried to contact the Parish Council at the point of publication of the July 2013 Cabinet report on the Leisure Options, but received no response. She also noted that if Croft playing fields were removed from the proposal and were required to be managed under a Management Contract, under EU procurement law there would have to be a tender for the services and GLL could choose whether or not they wished to bid.

Councillor Williams noted that if the Council retains control of the golf courses they also retain liability if profits are not meeting expectations.

Councillor Russell Holland, Cabinet Member for Finance, queried the implications on the proposals if the golf courses were retained by the Council. Councillor Williams noted that the golf courses are the subject of a separate proposal already.

Councillor Stan Pajak, Leader of the Minority Group, indicated his support of the proposals but noted the length of the lease for golf was still quite long. He also queried if the private operators will be reviewed to ensure they are doing well.

Councillor Williams noted that golf is in decline but that the private operator intends to fund investments requiring a longer lease. They will be in charge of their own businesses but both private operators will be assessed.

Councillor Jim Grant, Leader of the Opposition, indicated that Haydon Wick Parish Council had not been kept informed of developments and suggested that their wishes to take over the management of the Haydon Centre had not been progressed.

The Chair queried whether Councillor Grant was confusing the two issues and advised that he had been personally keeping the Parish Council updated on the project, but that until the commercial discussions had concluded he had been unable to share full details. He further noted that there had been no written notification from the Parish Council to him of a wish to take over the Haydon Centre.

Sue Mendham confirmed that Haydon Wick Parish Council had not submitted a bid for the lease as referred to earlier in the Cabinet discussions. Councillor Heenan noted that the Minutes of the Haydon Wick Parish Council meetings contained referral to the Council's soft market testing at two meetings.

Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, indicated his support of the proposals and noted that the Council will retain the freeholds, the leases have been shortened from the original lengths proposed, and that there will be £1.5m savings made from these contracts.

Councillor Fionuala Foley, Cabinet Member for Children's Services, referred to the amount of work done on these proposals and congratulated those involved.

Councillor Nadine Watts, Old Town Ward Councillor, queried why the car park at Croft had not been removed from the proposals along with Marlborough Lane.

Sue Mendham advised that should members decide to remove the car park from the proposals, GLL will have to be approached to check if they would still take the lease on.

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, indicated his support of the proposals and queried if the Dorcan School playing fields were part of it. It was noted that the site plan was contained in Appendix 3 to the report.

Resolved – (1) To 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.

Subject to approval of the proposal by Council:

(2) To 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 the report, in accordance with the approach to the revised key commercial terms.

(3) To approve the recommendation of preferred bidder as Greenwich Leisure Limited (GLL) for the leisure facilities.

(4) To approve the recommendation of preferred bidder as Twigmarket Limited for the golf facilities.

(5) To 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 of the report.

(6) To 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.

(7) To 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.

(8) To 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.

(9) To 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.

(10) To formally thank the team involved for their work on these proposals.

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

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**LICENSING COMMITTEE**

**WEDNESDAY, 2 JULY 2014**

**11. Scheme of Delegations - Amendments and Updates**

The Council's Licensing Manager submitted a report setting out proposed amendments and updates to the Council's Scheme of Delegations as it relates to Licensing functions.

Resolved – That the amendments and updates of the Council's Scheme of Delegations, as set out in the appendix to the report of the Council's Licensing Manager, be approved subject to confirmation and adoption by Council.

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**CABINET**

**WEDNESDAY, 19 MARCH 2014**

**PRESENT:-** Councillors David Renard (Chair), Brian Mattock (Vice-Chair), Russell Holland, Mike Bawden, Fionuala Foley, Dale Heenan and Garry Perkins.

Apologies for absence were received from Councillors Claire Ellis, Richard Hurley and Keith Williams.

Councillor Jim Grant attended the meeting in respects of Minutes 98 and 106.  
Councillor Des Moffatt attended the meeting in respect of Minute 106. Councillor Vera Tomlinson attended the meeting in respect of Minute 104.

**94. Section 100 B(4)(b) of the Local Government Act 1972**

The Chair advised that he intended, in accordance with Section 100B(4)(b) of the Local Government Act 1972, to take an additional urgent item concerning Tadpole Farm Primary School – Temporary Provision. The reason for the urgency was because a decision on the matter was required prior to the next scheduled meeting of the Cabinet and in order to avoid delays in the procurement process for the required works to enable the school to be open on schedule. He would also change the order in which items were considered in order to accommodate consideration of this item.

**95. Declarations of Interest**

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

**96. Minutes**

Resolved – That the minutes of the meeting held on 5<sup>th</sup> February 2014, be confirmed and signed as a correct record.

**97. Public Question Time**

Questioner

Mr Bob Buckley, Abbey Meads Community Primary School

Questions

Mr Buckley asked a series of questions concerning the possible provision of (a) a Free School in North Swindon with “Primary” provision, including the Cabinet’s awareness -

(i) of the document sent by North Swindon teachers to Cabinet Members regarding concerns over the New College Free School proposal; and

(ii) the New College claim that there was a need for a “Primary” section based on Local Education Authority (LA) advice, when LA advice is clearly that there was no current need; and

(b) access to facilities at the proposed Red House Community Centre to enable the services offered by the local Children’s Centre to be provided to parents in that area.

### Response

The Chair thanked Mr Buckley for his questions and comments. The Chair and the Cabinet Member for Children's Services responded at the meeting to the questions and comments.

### Questioner

Mr Steve Harcourt, Wroughton Parish Council

### Questions

Mr Harcourt asked a series of questions concerning the provision of playing fields and open space in Wroughton, including Cabinet's awareness that -

(a) Wroughton was lacking in the provision of open space for organised sports and games, which impacted on those village organisations running sports clubs, particularly those providing sports opportunities for young people;

(b) that this lack of open space impacted on the ability of sports groups to apply for funding for new or enhanced facilities as the Parish Council was unable to allocate sufficient land for such facilities;

(c) that encouraging better sports facilities for young people would have a positive impact on public health and reduce anti-social behaviour;

(d) that Swindon Borough Council had significant land holdings around Wroughton, some of which could be used for sports grounds. Was the Borough Council willing to work with Wroughton Parish Council to identify suitable land which could then be leased to the Parish Council for sports provision?

### Response

The Chair thanked Mr Harcourt for his questions and comments and advised that a response had been prepared and circulated at the meeting.

Mr Harcourt asked a supplementary question relating to the written response he had received to his questions.

The Chair and Councillor Dale Heenan, the Cabinet Member for Strategic Planning and Sustainability, responded at the meeting to the questions and comments.

### Questioner

Mrs Kareen Boyd, Hesketh Crescent, Swindon

### Questions

Mrs Boyd asked a series of questions concerning –

(a) Confirmation that Marlborough Lane was to be removed from the list of sites set out in the Leisure Options Consultation;

(b) Clarification of an article appearing in the Swindon Advertiser on 13<sup>th</sup> February 2014, concerning the provision of the Tadpole Farm School;

(c) Clarification of the Council's contingency plan should there be delays in the construction of the Red House Community Centre/Temporary Tadpole Farm Primary School.

### Response

The Chair thanked Mrs Boyd for her questions and the Chair, Councillor Fiona Foley, Cabinet Member for Children's Services, the Board Director,

Service Delivery and the Board Director, Resources responded at the meeting to the questions and comments.

Questioner

Ms Jane Milner-Barry

Questions

Ms Jane Milner-Barry asked a series of questions concerning the lease arrangements for the Oasis Leisure Centre and the former Clares site and the Council's knowledge of problems associated with the lessee's management of the Centre.

Response

The Chair, Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Culture and the Board Director, Service Delivery, thanked Ms Milner-Barry for her questions and comments and responded at the meeting. In view of the technical nature of the questions and that no advance notice had been given, the Chair advised that if Ms Milner-Barry submitted her questions in writing he would arrange for a written response to be provided.

Questioner

Mr Terry Reynolds, Wheeler Avenue, Swindon

Questions

Mr Reynolds asked questions concerning the financial constraints faced by the Council and the reasons for its delay in issuing rent invoices to its allotment holders, which were now seven months overdue.

Response

The Chair and the Board Director, Service Delivery, thanked Mr Reynolds for his questions and comments and responded at the meeting. The Chair advised that he and the Board Director would arrange for a written response to be provided on the issue of the delay in the billing of allotment rents.

Questioner

Mr Richard Symonds, Shaw, Swindon

Questions

Mr Symonds asked questions concerning the Leisure Options Appraisal and, in particular, sought clarification on (a) the actual subsidy for leisure provision, where figures had been quoted that appeared to vary from £0.14p or £1.50 per person, (b) the reduction in the level of subsidy that would need to be reached for the Council to be prepared to consider keeping a service in-house, and (c) whether the contracts for the transfer of leisure services would offer protection for consumers regarding prices to be charged.

Response

The Chair and the Board Director, Service Delivery, thanked Mr Symonds for his questions and comments and responded at the meeting. The Chair advised that he and the Board Director would arrange for a written response to be provided on the issue of the Council subsidy for leisure facilities.

Questioner

Mr Tim French, Cassan Road, Swindon

Questions

Mr French asked a question concerning the reinstatement of fencing surrounding the former Salvation Army site in Corporation Street Swindon.

Response

The Chair and Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Culture, thanked Mr French for his question and comments and responded at the meeting.

Questioner

Mr Ian Jankinson, Blunsdon Parish Council

Questions

Mr Jankinson asked a question concerning the proposed future use of the Red House Community Centre following its use for temporary provision for the Tadpole Farm Primary School.

Response

The Chair and Councillor Mike Bawden, Cabinet Member for Strategic Projects and Transformation, thanked Mr Jankinson for his question and comments and responded at the meeting.

**98. Wichelstowe Development Update**

The Cabinet Member for Strategic Projects and Transformation and the Board Director, Resources submitted a joint report setting out progress made in respect of the Wichelstowe Development Project, particularly, (a) the approval by the Council's Planning Committee on 11<sup>th</sup> February 2014 of a revised masterplan for the development, (b) the construction of a Waitrose Supermarket programmed to open in April 2014, and (c) the progress of the procurement process to secure a joint venture partner for the development.

Councillor Mike Bawden, Cabinet Member for Strategic Projects and Transformation, referred to the progress made to date and the importance of the Wichelstowe Project for the Council. He noted the significance of the new Waitrose development and referred to the selection of the right joint venture partner to deliver the project. He highlighted and welcomed the hard work done by the officer team and the cross-party working group to move the project forward.

Councillor Jim Grant, Leader of the Opposition, endorsed Councillor Bawden's comments on the successful cross-party working that was taking place with regard to the Wichelstowe project. He also wished to take the opportunity to thank Councillor Bawden for the way he had led the project and for his contribution to the Council over many years.

Resolved – (1) That the report be noted and the Board Director, Resources, in consultation with the Cabinet Member for Strategic Projects and Transformation, be authorised to continue the procurement process and select the most appropriate Joint Venture Partner for the Wichelstowe Project.

(2) That the Director of Law and Democratic Services, in consultation with the

Board Director, Resources and the Cabinet Member for Strategic Projects and Transformation, be authorised to complete the necessary contractual arrangements for the Joint Venture, on such terms and conditions as he considers necessary to protect the Council's interests.

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

## **99. 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 January 2014, (b) issues impacting on the Council's finances, including procurement arrangements for services and works affected by the reintegration of Swindon Commercial Services (SCS) into the Council and the associated tendering time-line, and (c) 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 success of the work undertaken to deliver budget savings early for the next Financial Year and how this both strengthened the Council's financial position and provided capacity to fund the Council's on-going transformation.

Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, commented on the hard work undertaken in Adult and Children's Services to drive down costs and manage service pressures to enable them to remain within budget.

The Chair endorsed Cabinet Members comments and thanked the Council's staff for their hard work in controlling budgets and delivering the early savings required to ensure the Council was in a strong financial position to start the new Financial Year.

Resolved – (1) That the Cabinet notes the Projected Out-turn by Service 2013/14, as set out in Table 1 and Appendices 1 and 2 to the joint report.

(2) That it be noted that work was progressing on an updated Housing Strategy and an Affordable Housing funding bid and a report on these matters will be submitted to the Cabinet at its meeting on 23<sup>rd</sup> April 2014.

(3) That it be noted that that work was progressing to fully integrate services transferred back to the Council from Swindon Commercial Services Limited (SCS) in November 2013 and that –

(a) Where timescales for letting new short term contracts during 2014/15 do not allow for the tendering requirements under Contract Standing Orders to be complied with, the Board Director Service Delivery be authorised to waive Contract Standing Orders, in consultation with the Cabinet Member with the relevant Portfolio responsibility and the Director of Law and Democratic Services, subject to him being satisfied that value for money can be demonstrated; and

(b) It be noted that any proposals to refresh the tender time-line will be brought back to the Cabinet once officers have completed this work and undertaken soft market testing to arrive at some firm recommendations to the Cabinet, which is expected to be during the Financial Year, 2015/16.

(4) That £500,000 be earmarked to fund one-off resources, as detailed in paragraph 3.4 of the joint report, to drive further efficiencies required for the 2015/16

Budget Setting process.

(5) That the proposed budget virements, as set out in Appendix 3 to 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.

#### **100. Business Rates Retail Relief Discount**

The Cabinet Member for Finance, the Board Director, Resources and the Head of Revenues and Benefits submitted a joint report setting out a proposed Business Retail Relief Policy.

Councillor Russell Holland, Cabinet Member for Finance, introduced the report and explained that the Chancellor, in his 2013 Autumn Statement, had announced a number of measures that were designed to help small businesses by reducing their Business Rate payments. It was intended that the discounts and other measures would assist with the growth of small and medium sized businesses and help to promote retail growth in Swindon Town Centre. He referred to the content of the proposed policy.

The Head of Revenues and Benefits confirmed that the Council had developed its proposed policy based on the statutory guidelines and would be fully recompensed by Government for the discounts awarded.

Resolved – That the Business Retail Relief Policy, as set out in Appendix 1 to the joint report, be approved, and the Head of Revenues and Benefits be authorised to implement this for the Financial Years 2014/15 and 2015/16 only.

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

#### **101. Capital Programme Monitoring -Third Quarter 2013/14**

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report setting out the 2013/14 Capital Programme position as at the end of December 2013.

Councillor Russell Holland, Cabinet Member for Finance, referred to the report and explained that it addressed the projected outturn position of the Council's Capital Budget for 2013/14, highlighted proposed changes to the current Capital Programme, and set out a proposed transfer of Section 106 Planning Obligation sums to town and parish councils where these were directly linked to the transfer of play areas and open spaces to those local councils.

Resolved – (1) That the 2013/14 Capital Programme position, as set out in paragraphs 3.1 to 3.12 of the joint report, be noted.

(2) That the changes to the Council's Capital Programme, as set out in paragraph 3.13 of the joint report, be approved.

(3) That the transfer of Section 106 Planning Obligation commuted sums to local town and parish councils where these are directly linked to transfers of play areas and open spaces, as detailed at paragraph 3.13.6 of the joint report, be approved.

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



report to the meeting.

## **102. School Admission Arrangements and Transport Policy for 2015/16**

The Cabinet Member for Children's Services and the Board Director, Commissioning submitted a joint report concerning (a) the proposed School Admission Arrangements for 2015/16, including, the co-ordinated admission arrangements for the normal point of entry (Reception, Year 3 and Year 7), In-Year admission arrangements for all Swindon Schools, and Published Admission Numbers (PAN) for Community and Voluntary Controlled Schools in Swindon for September 2015, and (b) the proposed Education Transport Policy for 2015/16.

Councillor Fionuala Foley, Cabinet Member for Children's Services, commented on the proposed changes to School Admission Arrangements and Education Transport Policy for 2015/16 and to the reasons why these had been required. She expressed her thanks to Ms Rebecca Mathis, Interim School Admissions Manager, and the Admissions team for all their hard work in respect of the policies and in delivering such a high proportion of parental preferences this year.

The Chair endorsed the Cabinet Member's comments and noted that the policies for 2015/16 remained similar to those adopted for the current year.

**Resolved** – (1) That the Co-ordinated Scheme of Admission Arrangements for the normal point of entry (Reception Year, Year 3 and Year 7) and In Year admissions for all primary schools and secondary schools in Swindon for September 2015, as set out in Appendices 1 to 4 to the joint report, be approved.

(2) That the admission numbers for Community and Voluntary Controlled schools for September 2015 as set out in the joint report and Appendix 6, be approved.

(3) That it be noted that the proposals referred to in (1) and (2) above were determined by 15<sup>th</sup> April 2014 and will be implemented by the Board Director, Commissioning for school admission for September 2015 for all new applicants.

(4) That the Education Transport Policy 2015/16, as set out in Appendix 5 to the joint report, be approved.

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

## **103. Swindon Secondary School Places Planning Strategy**

The Cabinet Member for Children's Services, the Board Director, Commissioning and the Head of Commissioning, Economy and Attainment, submitted a joint report concerning (a) the responses to the public consultation on planning for the expansion of mainstream secondary school places in Swindon up to 2026 (Minute 11 refers), and (b) proposed actions resulting from the consultation outcomes to develop and select options to address the future demand for secondary school places in Swindon.

Councillor Fionuala Foley, Cabinet Member for Children's Services referred to the future demand for secondary school places in Swindon and to the outcome of the wide-ranging consultation that had been conducted on possible options to meet this demand. She noted the possible solutions available to the Council and

highlighted the next steps necessary to further develop practical options for the delivery of the required places. She referred to the work undertaken by Mr Gareth Cheal, Senior Commissioner, Education Place Planning, and his team in undertaking the consultation and in identifying options. She noted and welcomed the proposed Free School provision and the work to be undertaken with the project teams. She reiterated her views expressed earlier in the meeting with regard to school place provision in North Swindon. She explained that Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, would be leading the work regarding the identification of suitable sites.

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, explained how officers from across the Council would work together to respond to the secondary school places challenge and would seek to identify suitable sites and buildings that would be appropriate for schools and for transport to schools.

Resolved – (1) That the results of the consultation on Secondary School Places, as summarised in the joint report and as set out in Appendix 1, including, surveys and public consultations, Autumn Locality Area public meetings; young people's survey and extract from the minutes of the Autumn meeting of Swindon Schools Admissions Forum, be noted.

(2) That the interest from New College to establish a Free School in North Swindon and the Bristol Diocese to establish a Church of England Free School in Swindon, as referred to in the joint report, be noted, and the Board Director, Commissioning be authorised to provide support to the project teams.

(3) That the Board Director, Commissioning be authorised to proceed with the following actions, as referred to in paragraph 8.1 of the joint report:

(a) Seek additional places through support of successful educational providers via the Free School applications by the New College and the Diocese of Bristol Academies Trust proposal,

(b) In conjunction with the Cabinet Member for Strategic Planning and Sustainability, carry out a non-statutory local consultation on options for the location of the applications for Free Schools from September 2016 and on options for the location of a Swindon Town Centre provision;

(c) Open discussion with the schools and commission feasibility studies for the potential expansion of the Ridgeway School, Wroughton, Lydiard Park Academy and St Joseph's Catholic College, subject to the necessary Ofsted judgement required for expansion;

(d) Continue cross-border dialogue with Oxfordshire and Wiltshire Councils to enable all councils to be in a position to react to local changes in demand and provide clarity on the financial implications of local decisions, with an update to be provided to the Cabinet in September 2014;

(e) Monitor and review the movement of pupils at age 14 between schools and the University Technical College and colleges, and

(f) Provide the Cabinet with an updated report in September 2014 on milestones and an implementation plan with due consideration to resources implications.

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



The Cabinet Member for Children's Services, the Board Director, Commissioning and the Head of Commissioning, Economy and Attainment, submitted a joint report providing an update on construction progress associated with the Tadpole Farm Primary School, and setting out a proposal for its temporary provision at the Red House Community Centre site to ensure that adequate school places were in place for September 2014.

Councillor Fionuala Foley, Cabinet Member for Children's Services, explained that the recent adverse weather conditions and ground conditions at Tadpole Farm had seriously affected the timetable for the construction of the Tadpole Farm Primary School. She referred to the pressure on school places in the area and to a proposal for the temporary provision of the school at the Red House Community Centre site, whilst construction of the new school continued, enabling the school to open as scheduled in September 2014. She advised that as the construction of the Community Centre was on a serviced site with surrounding infrastructure and roads in place, it was anticipated that the building could be delivered in time for September 2014. This brought forward the construction of the community centre and supported the temporary school provision.

Councillor Vera Tomlinson, St Andrews Ward Councillor, commented on the proposal and on the views expressed by the local community on the desire for a community centre to serve the area. She referred to the work already taking place locally to develop the community capacity to support the operation of the proposed centre. She hoped that nothing was proposed that would jeopardise this and the future of the community centre. Ward Councillors both recognised and supported the need for the early provision of the site and its temporary use to provide the required school places.

Councillor Foley explained that she believed that this was a solution that would benefit the local community by enabling the early construction of the community centre and by providing the primary school places required in the area on-time. She emphasised that there were no other proposals for any other alternative use of the site.

Resolved – (1) That the update on construction progress for the primary school at Tadpole Farm, Swindon, be noted.

(2) That the use of the Red House Community Centre site from September 2014 as a temporary provision for the Tadpole Farm Primary School pending the completion of the construction of that school, be approved.

(3) That a budget of £852,551 for the construction of the Red House Community Centre, be approved to be funded from monies from Haydon 3 Section 106 Planning Agreements provisionally earmarked as social contributions in the report to the Cabinet dated 19th January 2011.

(4) That the Cabinet Member for Strategic Projects and Transformation, in consultation with the local Ward Councillors, submit a further report to the Cabinet at or before its September 2014 meeting, on the future use of Red House Community Centre site once pupils have relocated to the permanent school site at Tadpole Farm.

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

**105. Office of Surveillance Commissioners Inspection Report  
of Swindon Borough Council 2013**

The Cabinet Member for Public Protection, Housing and Streetsmart (Delivery) and the Head of Public Protection and Streetsmart submitted a joint report concerning the outcome of the Office of Surveillance Commissioners' Inspection of Swindon Borough Council, undertaken in September 2013, and the proposed Council response to the recommendations arising from the Inspector's report.

The Chair, in the absence of the Cabinet Member for Public Protection, Housing and Streetsmart (Delivery), welcomed the findings of the Inspector's report, and supported the Council's response to the Inspector's recommendations.

Councillor Russell Holland, Cabinet Member for Finance, referred to the work undertaken by the National Illegal Money Lending Unit, which he welcomed.

Resolved – That the Report of the Office of Surveillance Commissioners' Inspection of Swindon Borough Council 2013 be welcomed and its recommendations be accepted, noting that:

(a) the Policy and Protocol On Regulation Of Investigatory Powers Act 2000 will continue to be reviewed on at least an annual basis, and

(b) a quarterly report will be produced for the Cabinet Member with portfolio responsibility who will take any significant or emerging issues to the Cabinet as appropriate.

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

**106. Swindon and Wiltshire Local Enterprise Partnership Strategic  
Economic Plan and Swindon's Future Infrastructure Needs**

The Leader of the Council and the Chief Executive submitted a joint report concerning (a) the proposed areas for investment content of the Swindon element of the Swindon and Wiltshire Local Enterprise Partnership's Strategic Economic Plan to be submitted to the Government by 31<sup>st</sup> March 2014 as a bid for "Growth Deal" funding, and (b) Swindon's future infrastructure needs and the use of the proposed Infrastructure Fund and New Homes Bonus funding to respond to those needs.

The Chair highlighted the role played by the Swindon and Wiltshire Local Enterprise Partnership and the significance for the future of Swindon of the Local Enterprise Partnership's Strategic Economic Plan. He explained that this was to be submitted to the Government by 31<sup>st</sup> March 2014 as a bid for "Growth Deal" funding. He commented on the proposed areas of investment to be included in the bid and the financial commitments for the Council should the bid for Government funding be successful. He referred to Swindon's future infrastructure needs and to the proposals for use of New Homes Bonus and the Infrastructure Fund to support the provision of essential infrastructure.

Councillor Jim Grant, Leader of the Opposition, asked for clarification on the decisions that the Special Committee would be required to make. He also expressed concern that the cross-party working and commitment to the Economic

Strategy had not been repeated in respect of the proposals for the establishment and use of a Council Infrastructure Fund. He referred to the use of the New Homes Bonus and that many other local authorities were using the fund to support Revenue Budget services affected by Government cuts and reductions in grant funding.

Councillor Des Moffatt, Opposition Spokesperson on Resources, expressed concern at the proposed use of the New Homes Bonus and to his belief that the proposed Infrastructure Fund risked being used in such a way that it would have no positive benefit for the Council or Swindon residents.

The Head of Commissioning, Economy and Attainment clarified the decisions that were required from the Council on the Local Enterprise Partnership's Strategic Economic Plan, and explained that the Special Committee would be asked to give consideration to the Swindon element of the bid as highlighted in the joint report.

The Chair and Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, referred to the use of the New Homes Bonus and the Infrastructure Fund and how these would be used to deliver the essential infrastructure works required by the growth of the Borough. They did not believe it was sensible to use such funds entirely to support services when the sustainability of these Government funds could not be guaranteed in the long-term.

Resolved – (1) That the Special Committee, on behalf of Council, be recommended to approve the Swindon proposed areas of Investment as set out in paragraphs 3.11-3.13 of the joint report, as items for inclusion in the Swindon and Wiltshire Strategic Economic Plan to be submitted by the Swindon and Wiltshire Local Economic Partnership to Government on 31<sup>st</sup> March 2014.

(2) That, further to the decision in (1) above, the Chief Executive, in consultation with the Leader of the Council, be authorised to agree amendments to items related to Swindon in the Strategic Economic Plan (SEP) prior to its final submission and if required following feedback from partners and Government.

(3) That the Special Committee, on behalf of Council, be recommended to agree, in principle, the proposals related to the use of New Homes Bonus and the Infrastructure Fund as set out in paragraphs 3.17–3.21 of the joint report.

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

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## **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 19<sup>th</sup> 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 3<sup>rd</sup> 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 1<sup>st</sup> April 2014 to 31<sup>st</sup> 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 1<sup>st</sup> April 2014 to 31<sup>st</sup> 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 5<sup>th</sup> March 2014 and the Swindon Children's Trust Board held on 13<sup>th</sup> 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 19<sup>th</sup> 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.

## **CABINET**

**WEDNESDAY, 25 JUNE 2014**

PRESENT:- Councillors David Renard (Chair), Brian Mattock (Vice-Chair), Russell Holland, Fionuala Foley, Dale Heenan, Richard Hurley, Keith Williams, Brian Ford and Emma Faramarzi.

An apology for absence was received from Councillor Garry Perkins.

Councillor Des Moffatt attended the meeting in respect of Minutes 5 and 6.  
Councillor Jim Robbins attended the meeting in respect of Minute 5.  
Councillor Stan Pajak attended the meeting in respect of Minutes 5 and 9.  
Councillor Jim Grant attended the meeting in respect of Minutes 5, 7, 10 and 11.  
Councillor Nadine Watts attended the meeting in respect of Minute 5.  
Councillor Andrew Bennett attended the meeting in respect of Minute 8.  
Councillor Bob Wright attended the meeting in respect of Minutes 9, 11, 12 and 13.

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

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

Councillor Brian Mattock made a personal declaration of interest in respect of Agenda Item 13 (References from Other Council Bodies (Economic, Environmental and Sustainability Overview and Scrutiny Committee / Town Twinning Network)) as he is a former Secretary of the Swindon Twinning Association.

### **2. Minutes.**

Resolved – That the minutes of the meeting held on 23 April 2014, be confirmed and signed as a correct record.

### **3. Public Question Time.**

#### Questioner

Mr Des Morgan had submitted written questions to the Cabinet Member for Economy, Regeneration and Skills regarding Agenda Item 9 – Superfast Broadband Extension Programme prior to the meeting.

#### Response

The written response from the Cabinet Member was tabled at the meeting and noted.

#### Questioner

Mr Terry Reynolds, Wheeler Avenue, Swindon, had submitted written questions to the Cabinet Member for Economy, Regeneration and Skills regarding Agenda Item 9 – Superfast Broadband Extension Programme prior to the meeting.

Mr Reynolds asked a supplementary question regarding two separate internet providers being financed by the Council. He also noted that he had not received a

written response to his question submitted to the Annual Council meeting on 6 June 2014 regarding vending machine hire from the Cabinet Member for Corporate Services and Leisure.

Response

The written response from the Cabinet Member for Economy, Regeneration and Skills was tabled at the meeting and noted. The Chair responded at the meeting to the supplementary question. The Cabinet Member for Corporate Services and Leisure undertook to ensure Mr Reynolds will receive a written response to his question to Annual Council.

Questioner

Mr Mike Bawden addressed the Cabinet on behalf of the Swindon Masonic Lodge regarding Agenda Item 14 – Progressing the Economic Strategy – Corn Exchange, Old Town, Swindon, and requested a meeting between the Cabinet Member for the Economy, Regeneration and Skills, relevant officers and representatives from the Masonic Lodge, to discuss the decision and associated issues.

Response

The Chair thanked Mr Bawden for his comments and agreed that a briefing would be arranged.

Questioner

Mrs Martha Parry, on behalf of Swindon Civic Voice, had submitted written questions to the Cabinet Member for Corporate and Leisure Services regarding Agenda Item 6 – Options Appraisal – Leisure Commissioning, prior to the meeting.

Response

The written response from the Cabinet Member was tabled at the meeting and noted.

Questioner

Mr Brian Cockbill asked a question regarding a report being made available on the consultation undertaken with Primary Schools concerning free hot meals being made available by September 2014, with particular reference to the dates the Stratton Grange Federation were contacted.

Response

The Cabinet Member for Children's Services undertook to provide a written response to Mr Cockbill.

Questioner

Mrs Boyd asked a question regarding a legal clause that allows the Council to build on Croft fields, and what the Council's intentions were in the future.

Response

The Chair thanked Mrs Boyd for her question and comments and advised that a written response would be provided.

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

Resolved – That, in accordance with Section 100A(4) of the Local



Government Act 1972, the public be excluded during the discussion of the matters referred to in Agenda Item No. 14 of the Notice of the Meeting on the grounds that it involves the likely disclosure of exempt information, as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. (Minute 13 refers)

## **5. Options Appraisal - Leisure Commissioning.**

The Cabinet Member for Corporate Services and Leisure and the Board Director, Service Delivery submitted a joint report concerning the implementation of the next stage of the Leisure and Culture Commissioning change programme in respect of the Council's leisure and golf facilities, which will ensure the most viable option for continued delivery of a sustainable provision within the Borough. The report outlines the results of additional consultation and engagement, and will be considered by both Cabinet and Council.

Councillor Keith Williams, Cabinet Member for Corporate Services and Leisure, introduced the report and referred to how the proposals will both reduce the leisure subsidy to zero and remove any maintenance costs to the Council. He noted the two prospective providers that have been shortlisted, and set out their suitability and commitment to these proposals.

Councillor Des Moffatt (Rodbourne Cheney Ward) welcomed the exclusion of Moredon Golf from the proposals and asked for further consideration of the area with a view to creating a sports and leisure hub with possible third party management of the site.

Councillor Williams noted that proposals for the Moredon Golf site are aspirational and would require funding. Sport England is keen to develop sporting hubs, but local support would be required to move proposals forward.

Councillor Jim Robbins, Opposition Spokesperson for Leisure, Libraries and Culture, indicated his support of the proposals contained within the report, and noted the possibility of Haydon Wick Parish Council taking over responsibility for the Haydon Centre. He also suggested that the Council should retain golf courses rather than lease them out, and asked that the Croft playing fields be removed from the proposals with Greenwich Leisure Limited (GLL) managing them on the Council's behalf.

Sue Mendham, Head of Commercial Services, advised that representatives of Haydon Wick Parish Council had attended the soft market testing meetings undertaken by the Council in June 2013, but unfortunately had been unable to answer the questions supplied in advance of the meeting. She further advised that the Council had tried to contact the Parish Council at the point of publication of the July 2013 Cabinet report on the Leisure Options, but received no response. She also noted that if Croft playing fields were removed from the proposal and were required to be managed under a Management Contract, under EU procurement law there would have to be a tender for the services and GLL could choose whether or not they wished to bid.

Councillor Williams noted that if the Council retains control of the golf courses they

also retain liability if profits are not meeting expectations.

Councillor Russell Holland, Cabinet Member for Finance, queried the implications on the proposals if the golf courses were retained by the Council. Councillor Williams noted that the golf courses are the subject of a separate proposal already.

Councillor Stan Pajak, Leader of the Minority Group, indicated his support of the proposals but noted the length of the lease for golf was still quite long. He also queried if the private operators will be reviewed to ensure they are doing well.

Councillor Williams noted that golf is in decline but that the private operator intends to fund investments requiring a longer lease. They will be in charge of their own businesses but both private operators will be assessed.

Councillor Jim Grant, Leader of the Opposition, indicated that Haydon Wick Parish Council had not been kept informed of developments and suggested that their wishes to take over the management of the Haydon Centre had not been progressed.

The Chair queried whether Councillor Grant was confusing the two issues and advised that he had been personally keeping the Parish Council updated on the project, but that until the commercial discussions had concluded he had been unable to share full details. He further noted that there had been no written notification from the Parish Council to him of a wish to take over the Haydon Centre.

Sue Mendham confirmed that Haydon Wick Parish Council had not submitted a bid for the lease as referred to earlier in the Cabinet discussions. Councillor Heenan noted that the Minutes of the Haydon Wick Parish Council meetings contained referral to the Council's soft market testing at two meetings.

Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, indicated his support of the proposals and noted that the Council will retain the freeholds, the leases have been shortened from the original lengths proposed, and that there will be £1.5m savings made from these contracts.

Councillor Fionuala Foley, Cabinet Member for Children's Services, referred to the amount of work done on these proposals and congratulated those involved.

Councillor Nadine Watts, Old Town Ward Councillor, queried why the car park at Croft had not been removed from the proposals along with Marlborough Lane.

Sue Mendham advised that should members decide to remove the car park from the proposals, GLL will have to be approached to check if they would still take the lease on.

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, indicated his support of the proposals and queried if the Dorcan School playing fields were part of it. It was noted that the site plan was contained in Appendix 3 to the report.

Resolved – (1) To 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.

Subject to approval of the proposal by Council:

(2) To 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 the report, in accordance with the approach to the revised key commercial terms.

(3) To approve the recommendation of preferred bidder as Greenwich Leisure Limited (GLL) for the leisure facilities.

(4) To approve the recommendation of preferred bidder as Twigmarket Limited for the golf facilities.

(5) To 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 of the report.

(6) To 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.

(7) To 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.

(8) To 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.

(9) To 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.

(10) To formally thank the team involved for their work on these proposals.

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

## **6. Budget Management 2013/14 - Out-turn.**

The Cabinet Member for Finance and the Board Director, Resources, submitted a joint report concerning the 2013-14 Revenue Budget out-turn based on actual expenditure incurred during the financial year ending 31 March 2014, including (a) the 2013-14 General Fund Out-turn, (b) a summary of spending across the departments, (c) the details of new funding available in 2014-15, (d) the Business Rates Retention Scheme, (e) detail on Swindon Commercial Services Ltd, (f) the Housing Revenue Account, (g) the Dedicated Schools Grant, and (h) a Capital Programme update.

Councillor Russell Holland, Cabinet Member for Finance, introduced the report and referred to paragraph 10.4 on page 45 of the report and asked members to note that it should read that all schools will be asked to contribute at least 5% towards their costs, not 20%.

Councillor Des Moffatt requested that the Thamesdown Drive extension to Barnfield be considered again in light of the total £6.789m infrastructure reserve.

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, indicated his support for the Thamesdown extension road but confirmed that £600k would not be spent on consultants.

The Chair confirmed that all infrastructure funding is now sourced through the Local Enterprise Partnership. The required funding of around £60m to build the extension would have to be in place before this Council would consider spending £600k.

Resolved – For 2013-14: (1) To note that the 2013-14 Out-turn was delivered within Budget for the eighth year running.

(2) To 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.

(3) To 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.

(4) To note the out-turn position for the Housing Revenue Account and Dedicated Schools Grant.

For 2014-15:

(5) To 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.

(6) To 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.

(7) To 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:

(8) 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.

(9) To 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.

(10) To 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.

(11) To 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.

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

## **7. Ofsted and Care Quality Commission Inspection of Services for Children.**

The Cabinet Member for Children's Services and the Board Director, Commissioning (DCS/DASS) submitted a joint report concerning the findings of the Care Quality Commission 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, and the actions planned to meet the identified areas for development.

Councillor Fionuala Foley, Cabinet Member for Children's Services, introduced the report and referred to the average numbers of children in Swindon who are on protection plans or being looked after. She noted that this report has been taken to other arenas such as the Local Safeguarding Children's Board and that the associated action plans will be monitored.

Councillor Jim Grant, Leader of the Opposition, queried if the action plan resulting from the Ofsted inspection will be fleshed out prior to the Scrutiny Committee meeting in September 2014. He also queried how much funding would be required to achieve the improvements requested from the reviews.

Councillor Foley confirmed that all background information pertaining to the action plans is already available, and welcomed that a whole meeting of the Scrutiny Committee be devoted to this. Councillor Foley also noted that improvements will be achieved through restructuring and better recruitment and retention of staff.

Resolved – (1) To note the findings of the inspections and satisfy itself that the action plans in response will deliver the intended outcomes.

(2) To 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.

(3) To 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.

(4) To thank the officers involved for their work on the inspections formally.

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

## **8. Superfast Broadband Extension Programme.**

The Cabinet Member for the Economy, Regeneration and Skills and the Board Director, Resources, submitted a joint report concerning the Council's involvement

in the Superfast Broadband Extension Programme being promoted by the Government through its agency Broadband Delivery UK including (a) Swindon joining the Superfast Broadband Extension Programme, (b) procuring a delivery partner for the project and (c) next steps in the process.

The Chair introduced the report and referred to the fact that all commercial roll-outs have been done in Swindon now, requiring these next steps to further improve the broadband service offered in the area.

Stuart McKellar, Board Director, Resources, noted that the areas to be targeted are not yet known as this will be an on-going process.

Councillor Andrew Bennett, (Ridgeway Ward), indicated his support of the proposals and noted that BT needs to improve its infrastructure in the area.

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, noted that there is an aim to solve the infrastructure problems in Swindon. The proposal is to go through an 'OJ tender' and BT is not the default option for a provider.

**Resolved** – (1) To authorise the Board Director Resources to submit a formal request for funding to Broadband Delivery UK (BDUK) by 30<sup>th</sup> June 2014 that will signal the Council's intent to participate in the next stage of the Superfast Broadband Extension Programme.

(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.

(3) To 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 the report.

(4) To 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.

(5) To authorise the Director of Law and Democratic Services, in consultation with the Cabinet Member for the Economy, Regeneration and Skills and the Board 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.

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

## **9. Swindon Sports Strategy 2013-2017.**

The Cabinet Member for Corporate Services and Leisure and the Board Director, Service Delivery, submitted a joint report concerning the consultation undertaken seeking the views of the public and those interested in sport on the draft Swindon Sports Strategy. The consultation was undertaken in partnership with the Swindon Sports Forum and Wiltshire and Swindon Sport. The report outlines the results of the consultation and sets out the Swindon Sports Strategy that reflects, as far as possible, the comments and views received during the consultation.

Councillor Keith Williams, Cabinet Member for Corporate Services and Leisure, introduced the report and referred to the on-going challenge of capacity issues and targeting hard to reach members of the public.

Councillor Bob Wright, Opposition Group Spokesperson for Housing and Transport, referred to the Section 106 monies available for investing and improving upon the structures and facilities available at the County Ground. He also expressed concern that the athletics track is not up to standard.

The Chair indicated that he will take a personal interest in this issue and agreed that a briefing would be circulated.

Councillor Stan Pajak, Leader of the Minority Group, indicated his support of the proposals and suggested that Tesco could become involved due to their close vicinity.

Resolved – (1) To 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) To adopt the Swindon Sports Strategy 2014 – 2017 attached as Appendix 3, in partnership with the Swindon Sports Forum and Wiltshire and Swindon Sport.

(3) To 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.

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

## **10. Future Direction of Swindon Capita Partnership.**

The Cabinet Member for Finance, the Cabinet Member for Corporate Services and Leisure, and the Board Director, Resources, submitted a report concerning the proposed changes for services provided under the Council's strategic partnership with Capita including (a) an overview of the partnership and its financial performance, and (b) detail on the proposals and the projected timescale for changes.

Councillor Russell Holland, Cabinet Member for Finance, introduced the report and referred to how the Council's situation has changed since the beginning of the relationship with Capita in 2007. He noted that the proposals contained within the report will achieve savings on the 2014-2015 budget.

Councillor Fionuala Foley, Cabinet Member for Children's Services, noted the difference in circumstances between when the contract was appointed in 2007 and now. She also recognised Capita's achievements such as the One Stop Shop and the Contact Centre.

Doug Maclean, Interim Head of IT Strategy, referred to the ICT Strategy for 2014-2019. He outlined some of the suggested proposals for the Council such as virtual desk tops and a cloud-based environment.

Councillor Jim Grant, Leader of the Opposition, expressed his concern with the IT systems staying with Capita and suggested that local businesses could be utilised to provide the Council's IT systems.

Stuart McKellar, Board Director, Finance, confirmed that there is a 15 year contract with Capita but that they are aware of the requirements they have to fulfil.

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, expressed his concern at the length over which the IT Strategy will operate, the internal focus and that customer services is not reflected.

Resolved – (1) To 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 of the report.

(2) To 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

(3) To maintain the Revenues and Benefits service within the Partnership under broadly similar arrangements that are currently in place as at June 2014.

(4) To agree the proposed ICT Strategy 2014-2019 set out in Appendix 1 to the 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.

(5) To authorise the Board Director Resources, in consultation with the Cabinet Member for Finance, and the Cabinet Member for Corporate Services and Leisure, to conclude negotiations with Capita for the future provision of ICT services, within the parameters set out in the report.

(6) To 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.

(7) To 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.

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

## **11. Sale of John Street Multi-Storey Car Park.**

The Cabinet Member for the Economy, Regeneration and Skills, the Cabinet Member for Highways, Strategic Planning, Sustainability and Transport, and the Board Director, Commissioning, submitted a report concerning the agreed terms



between the Council and UK Commercial Property Estates Limited, and the savings the Council will make by virtue of the sale and demolition of the John Street Car Park.

The Chair introduced the report and referred to the improvements planned for this area of Swindon.

Councillor Bob Wright, Opposition Group Spokesperson for Housing and Transport, queried why only 50% of the profit will be retained by the Council if the site is redeveloped when this car park had been earmarked for demolition anyway. He also referred to logistical problems in the area.

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, confirmed that a decision had already been made on car park rationalisation and that the Council will not be required to spend money through these proposals.

Resolved – (1) To 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:

- The MSCP is sold for a peppercorn on the basis that UKCPEL demolish the car park at their own cost.
- 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.
- The Council receives 50% of any profit if the site is redeveloped.

(2) To 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.

(3) To approve a budget of up to £10,000 from the Regeneration Reserve for the payment of legal fees for the disposal.

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

## **12. References from Other Council Bodies (Economic, Environmental and Sustainability Overview and Scrutiny Committee / Town Twinning Network).**

The Cabinet Member for Strategic Planning, Sustainability and Transport, the Leader of the Council and the Director of Law and Democratic Services submitted a report concerning recommendations arising from the Economic, Environmental and Sustainability Overview and Scrutiny Committee held on 1<sup>st</sup> April 2014, and from the Town Twinning Network held on 2<sup>nd</sup> April 2014.

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, expressed his support for noting the recommendations arising from the Economic, Environmental and Sustainability Overview and Scrutiny Committee.

The Chair offered his support for noting the requests arising from the Town

Twinning Network but declining the provision of funding due to the lack of information provided on what the funding is required for. He invited the Cabinet Member for Health and Adult Social Care to investigate what assistance the Council can provide in response to both items.

Councillor Russell Holland, Cabinet Member for Finance, noted that the original report to the Town Twinning Network indicated that there were no financial implications involved so it is unclear where the £20k request had arisen from and why.

Resolved – (1) That, further to Minute 25 of the Economic, Environmental and Sustainability Overview and Scrutiny Committee, to note the recommendations arising from the meeting.

(2) That, further to Minute 36(1) of the Town Twinning Network, to note the request but to decline the provision of £10k funding to the Town Twinning Network to support Town Twinning Activities over the next 3 – 5 years.

(3) That, further to Minute 37(2) of the Town Twinning Network, to note the request but to decline the request for a one-off budget to support the 40th anniversary celebrations during 2015 of the Swindon / Salzgitter Town Twinning link.

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

### **13. Progressing the Economic Strategy - Corn Exchange, Old Town, Swindon**

The Cabinet Member for the Economy, Regeneration and Skills, the Cabinet Member for Finance, the Board Director, Commissioning and the Board Director, Resources, submitted a report concerning how the Council can use its financial powers to play an enabling role in the regeneration development of the Corn Exchange in Old Town, which is a key historic building within Swindon.

The Chair introduced the report and referred to the aim to promote regeneration in this area of Swindon and how these proposals support that aim.

Paddy Bradley, Head of Commissioning for Economy and Attainment, noted the challenging factors on this site but that the proposals were in line with the town centre master plan. All risks to the Council on the project are also protected.

Councillor Russell Holland, Cabinet Member for Finance, raised questions regarding the acquiring of commercial sites and the letting viability assurances.

Councillor Brian Ford, Cabinet Member for Streetsmart, expressed some concern on risk to the Council but indicated his support for the proposals and the benefits to the area if it proceeds.

Councillor Bob Wright, Opposition Group Spokesperson for Housing and Transport, queried the Council funding and noted the competing demands across the town.

Councillor Holland queried the timescales involved, figures and the long term plans



as presented in the report, and noted the heritage building on the site.

Resolved – (1) To agree in principle that the Council should seek to take an Enabling Approach towards development in the Borough, within the context of the considerations set out in paragraph 5 of the report.

(2) To authorise the Director of Law and Democratic Services in consultation with the relevant Board Directors and Cabinet Members, to enter into formal agreements with the owner of the Locarno, Old Town, Swindon, with a view to combining our respective landholdings and facilitating the development of a high quality mixed commercial leisure and residential scheme that complies with the approved planning brief, subject to being satisfied that the owner and/or his nominated developer have the financial means to finance all the 'predevelopment works' including marketing, design and planning fees.

(3) To agree that, if necessary, Swindon Borough Council promote a Compulsory Purchase Order (CPO) to acquire the buildings known as the Forum (Marlborough Road), the Masons (The Planks) and 17-23 Marlborough Road Old Town, Swindon at the cost of the owner of the Locarno or his nominated developer.

(4) To authorise the Board Director, Resources to provide the owner of the Locarno a contribution up to a maximum of £1million towards the cost of the restoration of the heritage buildings provided that this is done in such a way that is compliant with financial and legal mechanisms that do not constitute State Aid.

(5) To agree to dispose of its landholding (shown in red on attached plan) to GM for £500k, payable on completion of the development.

(6) To agree to undertake improvements to the public highway along the High Street and its junction with Newport Street at a maximum cost of £350k including the provision of 'shared surfaces', improvements to public footways etc.

(7) To approve a one-off contribution toward the costs of the public realm within the development of up to £150,000, within the level of permissible State Aid under the 'de-minimis' regulations.

(8) To agree to purchase the commercial element of the completed scheme at an independently assessed market value based on the level of rental income, payable in staged payments as the construction works progress, subject to; there being agreements for leases in place for terms of not less than 20 years and to cover no less than 80% of the annual rental income.

(9) To agree that on disposal of the commercial asset – 10 years after completion of the purchase - the Council will pay to the owner of the Locarno 16.67% of any uplift in the value of the commercial asset over and above the base appraisal value.

(10) To authorise the Director of Law and Democratic Services to conclude an agreement and all necessary documentation which provides comfort to the owner and his nominated developer to continue to invest in the pre-development work and then to conclude a Development Agreement (DA) between the Council, the owner of the listed structures as named in the report, and a Joint Venture (JV) company formed between the owner and Swindon Corn Exchange Limited (SCEL).

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

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## **Notice of Decisions Made**

<b>Decision Maker:</b>	<b>Councillor Keith Williams, Cabinet Member for Highways, Strategic Transport and Leisure</b>
<b>Subject</b>	<b>Consideration of Objections The Swindon Borough Council (Bus Lanes, Bus Gates and Bus Only Roads) Order 2013</b>
<b>Decision(s): -</b>	<p>That the objections received in respect of the advertised Public Notice to the Swindon Borough Council (Bus Lanes, Bus Gates and Bus Only Roads) Order 2013 dated 4 December 2013 be noted.</p> <p>That the Head of Highways and Transport be authorised to implement the advertised traffic regulation order for the introduction of civil enforcement of bus lanes, bus gates and bus only roads on a permanent basis.</p> <p>That the Head of Highways and Transport notify the objectors of the Cabinet Member's decision on this matter.</p>
<b>Consultation:</b>	The Shadow / Group Spokespersons - Councillor Steve Allsopp (Labour) and Councillor Stan Pajak (Liberal Democrat) were consulted on the contents of the Decision Note. No adverse comments or requests for Cabinet consideration were received.
<b>Date of Publication:</b>	Thursday 27 <sup>th</sup> March 2014
<b>Date for Receipt of Requests for Call-in</b>	Thursday 3 <sup>rd</sup> April 2014

For more details on the subject of the Decision or for a copy of the) Decision Note (report) please contact: - Zahida Aslam, Direct Dial Telephone Number 466401, or Email: [zaslam@swindon.gov.uk](mailto:zaslam@swindon.gov.uk).

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email [iwillcox@swindon.gov.uk](mailto:iwillcox@swindon.gov.uk)

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website =

<http://ww5.swindon.gov.uk/moderngov/mgListPlanItems.aspx?PlanId=440&RP=285&J=3>

## Notice of Decisions Made

<b>Decision Maker:</b>	<b>Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability</b>
<b>Subject</b>	<b>Land Registry Wider Powers Consultation</b>
<b>Decision(s): -</b>	That the representations to be submitted by the Head of Planning to the Land Registry Consultation on “Wider Powers and Local Land Charges” contained within Appendix 1 to the Briefing Note, be approved.
<b>Consultation:</b>	The Shadow / Group Spokespersons - Councillor Mark Dempsey (Labour) and Councillor Nicky Sewell (Liberal Democrat) were consulted on the contents of the Decision Note. No adverse comments or requests for Cabinet consideration were received.
<b>Date of Publication:</b>	Thursday 27 <sup>th</sup> March 2014
<b>Date for Receipt of Requests for Call-in</b>	Thursday 3 <sup>rd</sup> April 2014

For more details on the subject of the Decision or for a copy of the) Decision Note (report) please contact: - David Dewart, Direct Dial Telephone Number 466445, [ddewart@swindon.gov.uk](mailto:ddewart@swindon.gov.uk).

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email [iwillcox@swindon.gov.uk](mailto:iwillcox@swindon.gov.uk)

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website =

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## Notice of Decisions Made

<b>Decision Maker:</b>	<b>Councillor Fionuala Foley, Cabinet Member for Children's Services</b>
<b>Subject</b>	<b>Grant of Leases to Academy Schools on the Learning Campus</b>
<b>Decision(s): -</b>	That, further to Minute 52 (2012/13) of the Cabinet, the Head of Property Assets, pursuant to paragraph 82 of the Scheme of Delegations, be authorised to grant a lease of the land and property for any one of the four PFI Schools on the Learning Campus, as identified in the Decision Note to an Academy, on such details terms and conditions as are agreed with the Director of Law and Democratic Services in order to best protect the Council's interests.
<b>Consultation:</b>	The Shadow / Group Spokespersons - Councillor Cindy Matthews and Des Moffatt (Labour) and Councillor Dave Wood (Liberal Democrat) and St Andrew Ward Councillors were consulted on the contents of the Decision Note. No adverse comments or requests for Cabinet consideration were received.
<b>Date of Publication:</b>	Thursday 17 <sup>th</sup> April 2014
<b>Date for Receipt of Requests for Call-in</b>	Thursday 26 <sup>th</sup> April 2014

For more details on the subject of the Decision or for a copy of the) Decision Note (report) please contact: - Helen Haines, Direct Dial Telephone Number 01793 463269  
hhaines@swindon.gov.uk.

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email iwillcox@swindon.gov.uk

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website =

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## **Notice of Decisions Made**

**Decision Maker:** **Councillor Russell Holland, Cabinet Member for Finance / Councillor Claire Ellis, Cabinet Member for Customer Support and Corporate Services**

**Subject** **Equal Pay**

**Decision(s): -** That, the Cabinet Member for Finance and the Cabinet Member for Customer Support and Corporate Services authorise the Head of Finance and Strategic Projects to make settlement offers to 223 equal pay claimants at an estimated cost of £1.2m under the powers delegated to the Director of Human Resources and Change by Cabinet on 21<sup>st</sup> January 2009 (Minute 96 2008/09 refers).

That it be noted that the latest round of offers is expected to settle the vast majority of remaining pay claims against the Council.

**Consultation:** The Shadow / Group Spokespersons - Councillor Jim Grant and Des Moffatt (Labour) and Councillor Stan Pajak (Liberal Democrat) were consulted on the contents of the Decision Note. No adverse comments or requests for Cabinet consideration were received.

**Date of Publication:** Thursday 22<sup>nd</sup> May 2014

**Date for Receipt of Requests for Call-in** Thursday 29<sup>th</sup> May 2014

For more details on the subject of the Decision or for a copy of the (Not for Publication / Confidential) Decision Note (report) please contact: - Kirsty Cole, Direct Dial Telephone Number 01793 464610 [kcole@swindon.gov.uk](mailto:kcole@swindon.gov.uk).

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email [iwillcox@swindon.gov.uk](mailto:iwillcox@swindon.gov.uk)

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website =

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## Notice of Decisions Made

<b>Decision Maker:</b>	<b>Councillor Keith Williams, Cabinet Member for Highways, Strategic Transport and Leisure</b>
<b>Subject</b>	<b>Emlyn Square – Proposed Altered Bus Route</b>
<b>Decision(s): -</b>	That the Head of Highways and Transport (a) establish an alternative route for westbound buses around the south and west side of the Mechanics Institute building at Emlyn Square, Swindon, as set out in Appendix 1 and (b) remove two parking spaces (Limited Waiting 1 hour Monday-Saturday 9am-6pm No return within 1 hour), one to allow the bus to manoeuvre and the second to allow for the construction of a bus boarder as shown on the plan attached as Appendix 2 of the Decision Note.
<b>Consultation:</b>	The Shadow / Group Spokespersons - Councillor Jim Grant (Labour) and Councillor Stan Pajak (Liberal Democrat) and Central Ward Councillors were consulted on the contents of the Decision Note. Central Ward Councillors indicated they were opposed to the recommendations for the reasons set out on their behalf in the Decision Note and requested that the matter be referred for Cabinet consideration. No further comments were received.
<b>Date of Publication:</b>	Thursday 22 <sup>nd</sup> May 2014
<b>Date for Receipt of Requests for Call-in</b>	Thursday 29 <sup>th</sup> May 2014

For more details on the subject of the Decision or for a copy of the Decision Note (report) please contact: - Robert Sanders, Direct Dial 466391, [bsanders@swindon.gov.uk](mailto:bsanders@swindon.gov.uk)..

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email [iwillcox@swindon.gov.uk](mailto:iwillcox@swindon.gov.uk)

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website =

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## Notice of Decisions Made

<b>Decision Maker:</b>	<b>Councillor Richard Hurley, Cabinet Member for Public Protection, Housing and Streetsmart</b>
<b>Subject</b>	<b>Renewal of the Dispersal Order in Swindon Town Centre</b>
<b>Decision(s): -</b>	That the Board Director, Service Delivery be authorised to give on behalf of Swindon Borough Council consent to Police Officers and Police Community Support Officers to use their powers to disperse groups of two or more persons from the Swindon Town Centre where there is persistent anti-social behaviour.
<b>Consultation:</b>	The Shadow / Group Spokespersons - Councillor Bob Wright (Labour) and Councillor Ann Richards (Liberal Democrat) and Central Ward Councillors were consulted on the contents of the Decision Note. Councillors Bob and Julie Wright and Councillor Ann Richards supported the recommendations. No other adverse comments or requests for Cabinet consideration were received.
<b>Date of Publication:</b>	Thursday 5 <sup>th</sup> June 2014
<b>Date for Receipt of Requests for Call-in</b>	Thursday 12 <sup>th</sup> June 2014

For more details on the subject of the Decision or for a copy of the Decision Note (report) please contact: - Cheri Fayers, 01793 466733, [cfayers@swindon.gov.uk](mailto:cfayers@swindon.gov.uk).

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email [iwillcox@swindon.gov.uk](mailto:iwillcox@swindon.gov.uk)

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website =

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