



SWINDON BOROUGH COUNCIL

Municipal Year 2014/15

Meeting of Council on Thursday, 18 September 2014

ITEM - MINUTES OF OTHER COUNCIL BODIES

SECTION 1 - SPECIAL, AUDIT AND STANDARDS COMMITTEES

1. Minutes of meeting Tuesday, 15 July 2014 of Audit Committee (Pages 3 - 8)
2. Minutes of meeting Monday, 21 July 2014 of Standards Committee (Pages 9 - 12)

SECTION 2 - OVERVIEW AND SCRUTINY COMMITTEES

5. Minutes of meeting Monday, 30 June 2014 of Scrutiny Committee (Pages 15 - 22)
4. Minutes of meeting Monday, 28 July 2014 of Scrutiny Committee (Pages 23 - 28)
5. Minutes of meeting Monday, 11 August 2014 of Scrutiny Committee (Pages 29 - 32)

SECTION 3 - REGULATORY COMMITTEES

6. Minutes of meeting Wednesday, 13 August 2014 of Licensing Committee (Pages 35 - 38)
7. Minutes of meeting Wednesday, 2 July 2014 of Licensing Panel (Pages 39 - 40)
8. Minutes of meeting Monday, 14 July 2014 of Licensing Panel (Pages 41 - 46)

9. Minutes of meeting Tuesday, 8 July 2014 of Private Hire and Hackney Carriage Licensing Sub-Committee (Pages 47 - 48)
10. Minutes of meeting Wednesday, 13 August 2014 of Private Hire and Hackney Carriage Licensing Sub-Committee (Pages 49 - 50)
11. Minutes of meeting Tuesday, 10 June 2014 of Planning Committee (Pages 51 - 52)
12. Minutes of meeting Tuesday, 12 August 2014 of Planning Committee (Pages 53 - 56)
13. Minutes of meeting Wednesday, 16 July 2014 of Education Transport Appeals Sub-Committee (Pages 57 - 58)
14. Minutes of meeting Wednesday, 16 July 2014 of Education Transport Appeals Sub-Committee (Pages 59 - 60)
15. Minutes of meeting Tuesday, 12 August 2014 of Education Transport Appeals Sub-Committee (Pages 61 - 62)

SECTION 4 - CHILDREN SERVICES BODIES

16. Minutes of meeting Thursday, 19 June 2014 of Swindon Children's Trust Board (Pages 65 - 70)
17. Minutes of meeting Tuesday, 8 July 2014 of Schools Forum (Pages 71 - 76)

SECTION 5 - POLICE AND FIRE AUTHORITIES

18. Minutes of the meeting 11 June 2014 of Wiltshire Police and Crime Panel (Pages 79 - 86)

Section 1

Special, Audit and Standards Committee Minutes

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AUDIT COMMITTEE

TUESDAY, 15 JULY 2014

PRESENT:- Councillors Steve Weisinger (Chair), Steve Allsopp, Roderick Bluh, Michael Bray, Oliver Donachie and Neil Heavens.

Apologies for absence were received from Councillors Mark Edwards, Nick Martin and Des Moffatt.

1. **Declarations of Interest**

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

In accordance with the National Code of Local Government Conduct, Councillor Steve Allsopp made a non-prejudicial declaration of interest in respect of his appointment as a Council representative on the Board of Thamesdown Transport.

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

The Chair advised that, in accordance with Section 100B(4)(b) of the Local Government Act 1972, the following additional urgent item would be considered as a matter of urgency on the basis that the report informed the Committee's consideration, at this meeting, of the Draft Annual Governance Statement (Agenda Item No. 10)

"Additional Urgent Item – Review of the effectiveness of the system of internal audit."

The Chair also indicated his intention to change the order in which items were considered in order to accommodate consideration of this item.

3. **Appointment of Vice-Chair**

Resolved - That Councillor Oliver Donachie be appointed as Vice-Chair of the Audit Committee for the Municipal Year 2014/15.

4. **Public Question Time**

There were no public questions.

5. **Minutes**

Resolved - That the minutes of the meeting held on 15th April 2014 be confirmed and signed.

6. **Internal Audit reports identifying 'significant' risk or 'of concern': Tenancy Engagement**

The Committee received a report on the latest position in relation to the

implementation of Internal Audit recommendations arising from the audit review “Tenancy Engagement”. It was noted that the overall risk assessment to the Council following the initial audit was considered “of concern”.

Mr Mike Ash, the Council’s Head of Housing Services Commissioning - Housing and Community Safety, was in attendance to provide a current position statement in relation to the implementation of the internal audit recommendations and to respond to members’ questions on issues raised regarding identified risk areas, the management response to the audit conclusions and key recommendations, and progress in implementing the action plan.

Following his introduction of the update report, Mr Ash responded to members’ questions on the following issues:

- the value for money (VFM) of current approaches to tenant engagement and the timeframe for the establishment of the proposed new model for engagement and the assessment of VFM under that new model
- the officer’s assessment of the main reasons for the apparent failure of some aspects of the current participation model and where improvements need to be focussed
- the cost of the engagement strategy and the assurance that effective change will be implemented as a result of the adoption of a revised participation strategy
- the pilot scheme in Penhill and the timeframe for the introduction of a borough-wide tenant engagement model
- the status of the acquisition of new resident involvement software to provide improved customer profiling information
- the circulation of the Housing Matters magazine and the use of IT communication options to complement traditional communication methods.

Resolved – (1) That the report, and the management response to the audit review recommendations, be noted.

(2) That a further report on the implementation and effectiveness of the new Tenancy Engagement model be made to this Committee in 12 months’ time.

7. Draft Annual Statement of Accounts 2013/14

The Committee received a report providing an update on the current position in relation to the preparation of the Council’s Annual Statement of Accounts for 2013/14. The Board Director Resources introduced the report and, with the Finance Manager, Housing, Treasury and Growth, expanded on a number of matters relating to the preparation of the statement of accounts, including the impact of the reintegration of much of Swindon Commercial Services Ltd (SCS Ltd), continuing material transactions around academy transfers disposals, restatement of the PFI liability and the Wichelstowe infrastructure now showing as operational.

The Committee also noted that there was a proposal from central government that, within four years, the deadlines for the production of the draft and audited accounts would be earlier, that, from 2017/18, the draft accounts would be required to be completed by 31 May and the audited accounts by 31 July. More detail on this proposal would be provided to the Committee once statutory dates were finalised, and areas of the closing process identified that might need to be revised to meet the earlier deadlines.

Following their introduction of the report, the Board Director and Finance Manager responded to members' specific queries and observations regarding the detail of the Draft Statement of Accounts, including the format for the presentation of the accounts, and the final accounts' process.

Resolved – That the report be noted.

8. Audit Committee: Annual Report 2013/14

The Chair of the Committee introduced the Committee's Annual Report for 2013/14.

Resolved – (1) That the report be noted.

(2) That the officers and the external auditors be thanked for their hard work in support of the Committee and the Council's audit function.

9. Audit Committee: Terms of Reference and Work Plan (Minute For Confirmation)

The Committee received a report of the Head of Internal Audit on the Audit Committee's terms of reference, revised to accommodate changes necessitated by updated CIPFA guidance regarding local authority audit committees, set out in their publication *Audit Committees: Practical Guidance for Local Authorities and Police*, and details of the Committee's draft work programme for 2014/15.

Resolved – (1) That the revised terms of reference and work programme, appended to the report, be approved.

(2) That the Council be recommended that the Constitution be amended to accommodate specific changes resulting from the revisions to the Audit Committee's terms of reference.

10. Head of Internal Audit Annual Report

The Committee received the Head of Internal Audit's Annual report for 2013/14. It was noted that it was a requirement of the CIPFA Code of Practice for Internal Audit and the new Public Sector Internal Audit Standards that the Head of Internal Audit deliver an annual internal audit opinion and report that could be used by the organisation to inform its governance statement and that the annual internal audit opinion must conclude on the overall adequacy and effectiveness of the organisation. The Annual Report provided the Committee with assurance from the Head of Internal Audit regarding the work of the Internal Audit section and his opinion with regard to the Council's overall arrangements for internal control.

Resolved – That the report and, in particular, the opinion that the internal control arrangements relating to the Council's main financial systems during 2013/14 were found to be satisfactory, resulting in an overall risk assessment to the Council as being 'moderate', be noted.

11. Draft Annual Governance Statement

The Head of Internal Audit submitted a report providing the Committee with details of the draft Annual Governance Statement 2013/14, setting out the Council's

governance arrangements and providing an assessment of the performance of those arrangements over the year.

Resolved – (1) That the draft Annual Governance Statement 2013/14, appended to the report, be approved.

(2) That it be noted that the final version of the Annual Governance Statement would be submitted to the next meeting of the Audit Committee, to be approved for signing off by the Leader of the Council and the Chief Executive in September 2014.

12. Letter to those charged with governance

The Committee received a report of the External Auditor on the requirement, as part of their audit of the Council's financial statements and in order to comply with the International Auditing Standards (UK and Ireland), to make inquiries of both management and the Audit Committee as to their knowledge of any actual, suspected or alleged fraud. It was noted that International Auditing Standards also place certain obligations on auditors to document Management's view on some key areas affecting the financial statements.

Resolved - That the responses submitted by the Chair on behalf of the Audit Committee and by management, appended to the report, be noted and approved.

13. External Audit Reports

Chris Hackett (Grant Thornton) presented a report advising the Committee of the External Auditors' progress, as at 26th June 2014, in respect of the delivery of their audit responsibilities. The report also included a summary of key emerging national issues and developments that might be of interest to the Committee.

The Committee also received support papers on the following discussion topics:

- Approving the minimum revenue provision policy
- De-cluttering your accounts
- A guide to local authority accounts

Resolved – (1) That the report and support papers be noted.

(2) That the Secretary of State, the Local Government Association and the Local Members of Parliament be advised of members', and officers', concerns regarding the accessibility of the information presented in the prescribed format for Local Authorities' Final Accounts and that representation be made for these to be made "more sensible and less technical" in order to make the accounts more transparent and open and more easily accessible to the reader.

(3) That the Chair's suggestion of the introduction of an informal, e-mail based, arrangement to facilitate members' feedback on the performance and effectiveness of the Audit Committee, be accepted.

14. Head of Internal Audit Update

The Committee received a report of the Head of Internal Audit summarising the main issues arising from the Internal Audit reports finalised since the last Audit Committee meeting in April 2014 and progress made against the Annual Internal Audit Plan.

Resolved – (1) That the report be noted.

(2) That the Hillmead internal audit report, categorised as having an overall risk evaluation of “Of Concern”, be submitted for consideration at the meeting of the Committee to be held in November 2014.

(3) That the Head of Internal Audit liaise with the Chair regarding the outcome of pending audits and that the Chair determine which, if any, of these should be reported to the September meeting for consideration.

15. Review of the effectiveness of the system of internal audit

The Committee received a report on the effectiveness of the system of internal audit. It was noted that, In order to comply with The Accounts and Audit (Amendment) (England) Regulations 2011 the Council was required, at least once a year, to conduct a review of the effectiveness of its system of internal audit.

Resolved – (1) That the various areas of assurance and supporting evidence, set out in the report, and the information contained in the Checklist provided in the CIPFA Code of Practice for Internal Audit in Local Government in the UK 2006, appended to the report, and the CIPFA Audit Committee Toolkit Self-Assessment Checklist, also appended to the report, be accepted as providing assurance of the effectiveness of the Council's system of Internal Audit.

(2) That, with reference to the “good practice questions”, set out in the CIPFA self-assessment checklist, relating to the effectiveness of the Committee, an assessment of achievement and performance be incorporated into the Committee's future annual reports.

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STANDARDS COMMITTEE

MONDAY, 21 JULY 2014

PRESENT:- Councillors Michael Bray (Vice-Chair), Fay Howard, Eric Shaw, Kevin Small, Vera Tomlinson, Joe Tray and Maureen Penny and Mr Keith Strickland, Mr Paul Morris, Mr Trevor Davies, Mr David Dawson, Mr Richard Hailstone and Mr Mike Compton.

Apologies for absence were received from Councillor David Wood, Councillor Kevin Parry and Councillor Carol Shelley.

1. Declarations of Interest

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

2. Minutes

Resolved – That the minutes of the meeting held on 24th March 2014 be confirmed and signed as a correct record.

3. Public Question Time

Carole Bent, a local resident, referred to the public engagement in the review of the Council's Standards arrangements and asked whether member's had found that engagement to be constructive and helpful. The Chair and Councillor Fay Howard responded on behalf of the Committee, advising that the input to the review received from members of the public had been both informative and very helpful.

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 the item listed below on the grounds that it involved the likely disclosure of exempt information as defined in the respective paragraphs of Part 1 of Schedule 12A of the Act.

<u>Item No.</u>	<u>Paragraph Nos.</u>	<u>Minute No.</u>
10	1 and 2	9

5. Standards Committee Annual Report 2013/14

The Committee was asked to consider its Draft Annual Report 2013/14, which document provided a record of the work of the Standards Committee for the period June 2013 to May 2014. In particular, the Committee's view was sought on a suggestion put forward as part of the review of the Council's standards arrangements that a summary of Code of Conduct complaints received during the

Municipal Year be made to each future meeting of the Standards Committee as part of the ethical framework update.

Resolved – (1) That the Draft Standards Committee Annual Report 2013/14 be agreed, subject to the correction of the minor textual errors in the document identified by members during their consideration of the report.

(2) That a current summary of Code of Conduct complaints received during the Municipal Year be made to each future meeting of the Standards Committee as part of the ethical framework update.

6. Annual Work Programme

The Committee considered a report of the Director of Law and Democratic Services inviting the Committee to agree its Work Programme for 2014/2015.

Resolved – That the Committee's draft Work Programme for 2014/2015, as appended to the report, be agreed.

7. Review of the Council's Standards Arrangements

The Committee received a report of the Director of Law and Democratic Services on the review of the Council's current "Arrangements for dealing with member Code of Conduct Complaints" and inviting the Committee to review the Council's current arrangements, taking into account the discussions at previous meetings and subsequent round tables with a small group of interested residents, and to make any changes it felt would enable complaints to be dealt with more expeditiously in terms of process.

Resolved – (1) That the members of the public and representatives of stakeholder groups who had attended previous meetings of the Standards Committee, and the subsequent round tables, be thanked for their interest and for their constructive and helpful comments on the Council's existing standards arrangements.

(2) That it be noted that the reference in the covering report to "local residents" consulted as part of the review process, included two individuals who attended as representatives of Chiseldon Parish Council.

(3) That, with reference to the summary of the main issues identified at the two round tables (appended to the report), the following be agreed:

- the initial assessment of complaints to continue to be determined by a Panel of councillors with an Independent Person and Lay/Parish Representatives where appropriate
- Assessment Panel meetings continue to be convened on an ad hoc basis
- proceedings at the initial stage of the complaint to remain private and confidential
- neither the complainant or the respondent to be allowed to attend Assessment Panel meetings but both to be advised as soon as possible of the date when the Assessment Panel will meet to consider the complaint
- a summary of Code of Conduct complaints received during the Municipal Year be made to each future meeting of the Standards Committee as part of the ethical framework update
- the current practice of no right to appeal Assessment Panel decisions be continued and that this issue be further considered as part of the scheduled review of the process in March 2015
- members be encouraged to make themselves available to attend Assessment Panel meetings so as to enable the completion of the initial

assessment of a complaint within a period of one calendar month from receipt of the complaint.

(4) That, with regard to the suggestion that the membership of the Standards Committee should be increased to facilitate a greater pool of members that can be drawn upon for Assessment Panel meetings, to assist in avoiding any unnecessary delay in this initial phase of the process, it be noted that the membership of the Standards Committee was increased at the Annual Council Meeting in June 2014 (*from 6 to 9 councillors*).

(5) That the Council document “Arrangements for dealing with Member Code of Conduct complaints”, be amended to incorporate the textual changes agreed by the Committee (as set out in the tracked change document at Appendix 1 to these minutes).

(6) That the issue confidentiality of proceedings, particularly in relation to the respondent’s position and the enforcement of confidentiality of proceedings, be further considered as part of the Standards Committee’s annual review of the process in March 2015.

8. Ethical Framework Update

The Committee received a report from the Director of Law and Democratic Services providing an update on matters relating to the Ethical Framework, including:

- dispensations
- the membership of the Standards Committee
- the Annual Governance Statement (and the specific reference therein to the Council’s arrangements for promoting and upholding high standards of conduct and behaviour)
- training issues
- the completion by newly elected or re-elected members to the Council of Register of Interests declarations
- the regional workshop on the role of the Independent Persons.

Resolved – (1) That the Ethical Framework update be noted.

(2) That it be noted that no dispensations had been granted by the Monitoring Officer since the last meeting.

(3) That the issues reported in relation to member and Parish Councillor training be noted.

(4) That the two Independent Persons, together with the Director of Law and Democratic Services, attend Hoey Ainscough’s workshop on the role of the Independent Person, to be held at the Civic Offices on Thursday 23 October 2014 and that the Chair and/or Vice-Chair be invited to attend the workshop in the event that either of the Independent Persons is unable to attend the workshop.

9. Ethical Compliance Report

The Committee considered a report of the Director of Law and Democratic Services regarding the outcome of various ethical framework compliance matters, including the details of Whistleblowing cases and Code of Conduct Complaints received since the last Committee and the outcome of any completed investigations in relation to these.

Resolved – That the Ethical Framework Compliance report be noted.

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Section 2

Overview and Scrutiny Committee Minutes

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SCRUTINY COMMITTEE

MONDAY, 30 JUNE 2014

PRESENT:- Councillor Robert Wright (Chair), Councillors John Ballman, Mark Dempsey, Toby Elliott, Colin Lovell, Mary Martin (Vice-Chair), Kevin Parry, Stan Pajak, James Robbins, Vera Tomlinson, Steve Weisinger, and Michael Bray

Apologies for absence were received from Councillors Cindy Matthews and Maureen Penny

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.

1. Councillor James Robbins declared a non-prejudicial interest in respect of Agenda Item 5 – Consideration of Cabinet Decisions – Ofsted and Care Quality Commissioning Inspection of Services for Children, as he was a Foster Carer for Swindon Borough Council
2. Councillor Colin Lovell declared a non-prejudicial interest in respect of Agenda Item 6 – Call-in Request: Cabinet Member Decision, as he was a member of Thamesdown Transport LTD Board.

2. Public Question Time

1. Mr Brian Cockbill, a local resident, asked a number of questions as follows:
 - a. in the Budget Management 2013-14 paper approved at the last Cabinet Meeting, the Budget 2013-14 subheadings are not presented in a consistent way?

Response - The Board Director Resources and Cabinet Member for Finance would provide a written response.

- b. why the Council's website page headed "Meetings Calendar" repeatedly fails to provide details of meetings in line with its pronounced "The agenda will be displayed in the week before the meeting "?

Response - The Director of Law and Democratic Services responded in writing: I understand that sometimes there are technical issues with the website and if this does happen and is noticed first by a member of the public then it would be helpful if the Committee Officer could be contacted directly so that it can be looked into, rather than wait until a committee meeting.

- c. I have requested information from officers regarding events to date and the requirements of the Stratton Grange Federation Schools to provide free School meals from September. If this information hasn't been

supplied before the meeting will you ask your Scrutiny Committee look into the issue?

Response - Question withdrawn by Mr Cockbill following his receipt of information from the Council's Strategic Planning Manager (Commissioning Economy and Attainment)

- d. what is the anticipated shortfall between the Government Grant of £360, 965 for capital funding of the Universal Infant Free School Meals and the requirements of accommodation and equipment required by September 2014 and how this will be met?

Response - The Cabinet Member for Finance would provide a written answer.

- e. The former Leader has insisted that the Council made a profit from the Digital City Uk investment to the extent of expressing it in money terms, this doesn't appear to have been the case Freedom of Information Answer provided by the authority. Will your committee establish the truth from Officers?

Response - This was a matter for the Scrutiny Committee, which considered all suggestions put forward for its work programme.

- 2. Daniel Rose, a local resident, asked a number of questions in relation to Agenda Item 6 – Emlyn Square – Proposed Altered Bus Route
 - a. How was a Cabinet Member Decision made without proper consultation with local residents effected by the decision
 - b. Could the Cabinet Member Decision be looked at again

Responses to the above questions would be made during the discussion of the issue at minute 79 below.

3. Minutes

Resolved: That the minutes of the meeting held on 28 April 2014, be confirmed and signed as a correct record.

4. Consideration of Cabinet Decisions

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 25 June 2014.

5. Options Appraisal – Leisure Commissioning

Councillor Keith Williams, the Cabinet Member for Corporate Services and Leisure responded to questions from Councillor James Robbins, Councillor Mark Dempsey and Councillor Bob Wright about the responses received and results of the additional consultation in relation to the transfer of the Council's leisure and golf facilities to third party operators.

Resolved – That minute 5 of the Cabinet be noted

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

Councillor Russell Holland, the Cabinet Member for Finance responded to a question from Councillor Bob Wright about the carry forward of the unspent Emergency Assistance Fund into 2014/15 to allow the Council to use all of its earmarked funding to support vulnerable people.

Resolved – That minute 6 of the Cabinet be noted

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

Councillor Fionuala Foley, the Cabinet Member for Children's Services spoke about the recent Ofsted and Care Quality Commission Inspections and explained that she felt that the inspection reports did not reflect a true picture of Children's Services provided by the Council. The Cabinet Member responded to questions from Councillor Bob Wright about the Care Quality Commission and Ofsted Inspection findings and the public's involvement in associated action plans.

Resolved – That minute 7 of the Cabinet be noted

8. *Superfast Broadband Extension Programme*

Councillor David Renard, Leader of the Council and Board Director Resources responded to questions from Councillor Toby Elliott, Councillor Mark Dempsey, Councillor Mary Martin and Councillor Bob Wright about 'intervention areas', open market review, State Aid rules, the process to determine the areas of focus and the timeline for installation of superfast broadband on the ground, information about the tender process and the date for the roll-out of the technical solution.

Resolved – That minute 8 of the Cabinet be noted

9. *Swindon Sports Strategy 2013-2017*

Councillor Keith Williams, the Cabinet Member for Corporate Services and Leisure responded to questions from Councillor James Robbins and Councillor Bob Wright about the inclusion of disabled provision within the Sports Strategy and guarantees about the suitability of the athletics track.

Resolved – That minute 9 of the Cabinet be noted

10. *Future Direction of Swindon Capita Partnership*

Councillor Russell Holland, the Cabinet Member for Finance responded to questions from Councillor Mark Dempsey, Councillor Mary Martin and Councillor Bob Wright about the conditions of the original contract and on-going review, the recovery of upfront investment by Capita, the percentage of the original contract remaining with Capita and the cost to the Council if it were to either disengage fully or incrementally from Capita.

Resolved – That minute 10 of the Cabinet be noted

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

Councillor David Renard, Leader of the Council and Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport responded to questions from Councillor James Robbins, Councillor Mary Martin and Councillor Toby Elliott about the land value of the car park site.

Resolved – That minute 11 of the Cabinet be noted

12. *References from other Council Bodies*

Councillor Russell Holland, the Cabinet Member for Finance responded to questions from Councillor Stan Pajak about requests by the Town Twinning Network for funding to support Town Twinning Activities over the next 3-5 years and the 40th anniversary celebrations during 2015 of the Swindon/Salzgitter Town Twinning link.

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport responded to questions from Councillor Mark Dempsey about recommendations from the Economy and Regeneration Overview and Scrutiny Committee about the development of a Transport master Plan for Swindon setting out priority projects and the creation of 'shovel ready' plans for these projects to take advantage of future infrastructure investment from Central Government.

Resolved – That minute 12 of the Cabinet be noted

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

Resolved – That minute 13 of the Cabinet be noted

5. Call-in Request: Cabinet Member Decision

The Scrutiny Committee considered a report of the Director of Law and Democratic Services about a call-in request submitted by four Councillors of a decision made by Councillor Keith Williams, Cabinet Member for Highways, Strategic Transport and Leisure.

Councillors Junab Ali, Stan Pajak, Bob Wright and Julie Wright called in the Cabinet Member decision concerning a proposed alteration of the route of westbound buses around the south and west side of the Mechanics Institute building at Emlyn Square, Swindon.

The Director of Law and Democratic Services advised members that in accordance with the Council's call-in procedure, the Committee was invited to consider the evidence provided by the four councillors as to why the decision failed to meet the requirements of the Council's principles of decision making, as set out in Article 13 (Decision Making) of the Council's Constitution, with particular regard to the carrying out of due process in reaching the decision and/or failing to fully appreciate the implications of the decision, and determine whether the matter should be referred back for further consideration.

The Chair reminded the Committee of a public question that was asked earlier in the meeting about the consultation undertaken and effect of the vibrations on the Mechanics Institute.

Councillors Julie Wright and Bob Wright spoke to the call-in, in particular about the Railway Village Conservation Order and the expressed view of the Council not to remove buses from the area; the perceived damage to the Mechanics Institute and increase in cost to the tax payer to maintain and preserve the building; punctuality of the buses; historical alternative routes; equalities issues in relation to environmental changes to the air, effects on the building and depriving a community of a bus service.

The Cabinet Member spoke about the consultation and indicated that opposition spokespersons and ward members along with appropriate officers within the Council had been consulted about the proposals and that the vibration issues had been taken into account during the consultation exercise.

Resolved:

That the Committee does not support the case put forward in the notice of call-in and therefore does not refer the matter back to the Cabinet Member for further consideration.

6. Annual Report of the Leader of the Council

In accordance with the Council's Constitution, Councillor David Renard, the Leader of the Council, attended this first meeting of the Scrutiny Committee in the Municipal Year 2014/15 to report to the Committee on (a) the Council's performance in 2013/14, particularly in relation to delivery against the Administration's specific priorities and targets, and (b) challenges for 2014/15 and beyond.

Councillor Renard introduced his report and reminded members that local government was going through the biggest change in at least a generation and was facing some challenging times over the next three years, particularly with the requirement to find additional savings of £48m. He explained that with reducing resources and increasing demands difficult decisions had already been made, referring to Swindon Commercial Services Ltd, Capita and Green Waste, and the Council would continue to make difficult decisions exploring new options for the future.

In particular, Councillor Renard spoke about the Strategic Commissioning Approach and the need to work more closely with residents, partners in the public and private and third sectors to ensure that the Council secured better results for local people. Officers had been asked to work more closely with communities to increase community participation in public life. He referred to the Council benefitting from additional support provided by the New Homes Bonus as well as the Council Tax Freeze Grant.

The report outlined the many key achievements for 2014/15 and detailed the challenges for 2014/15 and beyond. Councillor Renard reported that although the Council had made many changes, they were still able to deliver improvements. In particular he spoke in detail about the following areas:

- The need for the right skills, the right jobs in the right places, referring to economic growth being a key priority;
- the need to work with residents to create well cared for neighbourhoods, referring to disposal of litter, recycling, Sussex Square redevelopment and regeneration of Cavendish Square;
- Making the best use of Swindon's resources inside and outside the Council
- Finding new ways to reduce vulnerability and improve health for all
- Working with people and families to help them fulfil their potential

Councillor Renard suggested that the Committee may like to review the funding of adult social care and what partnership working could deliver to the Council, following a question from the Chair about possible reviews that the Committee could undertake which would help the Council going forward.

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

- Green waste collection and the effect on recycling and fly tippers
- The health and safety of residents in the area surrounding new developments, for example Regents Circus
- Making the Boroughs entrances more attractive
- Road maintenance and a possible programme of works
- The preservation of the Victorian former college building on Victoria Road and the receipt of a planning application by the Council
- Help for local residents to achieve degree level qualifications
- Shortage of one and two bedroom developments in west Swindon
- The urgent need for a university in the town and need to see an increase in apprenticeships for young people
- Regeneration of Kimmerfields
- Financial management and how debt would be reduced
- External funding necessary for a town centre Museum and Art Gallery and the development of options to replace the Wyvern Theatre
- Concern about the public's understanding of the new green waste collection scheme, the need for continued publicity and how fly tipping would be dealt with in the short and long term
- The number of applicants enrolled at the UTC
- The work of the Better Swindon Group

The Chair thanked Councillor Renard for his informative presentation of his Annual report and for his full and open responses to members' questions.

7. Annual Work Programme Report

The Committee considered a report of the Director of Law and Democratic Services on the results of the 2014/15 Overview and Scrutiny work programme consultation exercise and an invitation to agree a rolling work programme for the Scrutiny Committee for 2014/15, taking into account the issues raised in the Leader of the Council's presentation to this meeting and the results of the consultation exercise.

The Committee considered a number of topics that could be included in the work programme for 2014/15 and were reminded of the impact on the workload of the Committee and Officers in agreeing topics. In particular, members suggested that the following items could be added to the work programme:

- Equality and inequality in certain areas of Swindon
- A report on Commissioning and in particular how the Oasis was commissioned and lessons to be learnt
- Complaints process – Topic 3 detailed in the report
- Commissioning – Topic 5 detailed in the report
- Localities/Community Capacity – Topic 6 detailed in the report
- Partnerships

Resolved:

1. That, subject to consultation with the Chair of the minor amendments to the programming detailed above, the draft work programme 2014/15, tabled at the meeting, be approved.
2. That, once a work programme has been agreed, the Overview and Scrutiny Officer would make the necessary arrangements for the work programme to be carried out.

8. Chair's Announcement

The Chair reported that Jodie Townsend, Scrutiny Officer would be leaving the Council in July and this was his last meeting. The Chair, on behalf of all members thanked Jodie for his hard work, help and advice over the years and wished him well for the future.

Signed at a meeting of the Committee held on 28th July 2014

.....
Person presiding at meeting at which minutes signed

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SCRUTINY COMMITTEE

MONDAY, 28 JULY 2014

PRESENT:- Councillor Robert Wright (Chair), Councillors John Ballman, Mark Dempsey, Toby Elliott, Colin Lovell, Mary Martin (Vice-Chair), Cindy Matthews, Maureen Penny, James Robbins, Vera Tomlinson, Steve Weisinger, Robert Wright (Chair), Ann Richards and Timothy Swinyard

Councillors David Renard, Leader of the Council and Chair of Cabinet, Brian Mattock, Deputy Leader of the Council, Vice-Chair of Cabinet, Cabinet Member for Health and Adult Social Care, Emma Faramarzi, Cabinet Member for Housing and Public Safety, Fionuala Foley, Cabinet Member for Children's Services, Brian Ford, Cabinet Member for Streetsmart, Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, Russell Holland, Cabinet Member for Finance, Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills, and Keith Williams, Cabinet Member for Corporate and Leisure Services, were also in attendance.

Apologies for absence were received from Councillors Kevin Parry and Stan Pajak.

9. 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 Cindy Matthews made non-prejudicial declaration of interest in relation to the Committee's consideration of Cabinet Minute 17 ("Children's Centres Consultation") in her capacity as chair of the Advisory Boards of Saltway, West Swindon, Eldene, Croft and Robert Le Kyng Children's Centres. Councillor Maureen Penny also made a non-prejudicial declaration of interest in respect of this same matter, in her capacity as chair of the Highworth Ladybird Centre.

10. Public Question Time

Councillor Fionuala Foley, Cabinet Member for Children's Services, and Councillor David Renard, the Leader of the Council, responded to questions put by Anne Snelgrove and Michelle Agostina on matters relating to the Council's proposed changes to the Children's Centres service.

11. Minutes

Resolved – That the minutes of the meeting held on 30th June 2014 be confirmed and signed as a correct record.

12. Consideration of Cabinet Decisions

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 23rd July 2014.

17. *Children's Centres Consultation*

Councillor Fionuala Foley, Cabinet Member for Children's Services, and Councillor David Renard, the Leader of the Council, supported by the Council's Head of Commissioning for Children and Adults, responded to questions put by the Chair and Councillors Mark Dempsey, Cindy Matthews, Mary Martin and James Robbins on the following matters:

- the Cabinet Member's and the current Administration's commitment to keeping remaining children's centres open
- maintaining the Supercluster as a provision and the aspiration of improving their service to reach 100% of vulnerable children and to support a reduction in demand for children's social care
- the consultation exercise and the feasibility of maintaining the current level of service provision
- the value of early years investment
- the rising pressure on social care and the likely impact of reduced children's centre provision as a result of the proposed budget savings
- support for vulnerable children provided by health visitors and voluntary services
- the availability of data relating to the "signalling and signposting" role of Children's Centres in making referrals to social care
- the likely impact of the proposed closures on the level of social care referrals
 - the additional cost of care as a result of any increase in the number of referrals and the Council's subsequent ability to realise the level of savings indicated in the report
- the 2010 National Evaluation of Sure Start and the demonstrable beneficial effect and positive outcomes of children's centres for children's health and for mothers and families
- the range of the consultation and the feasibility of extending the consultation beyond the scope of Children's Centres in order to better identify community priorities and possible alternative service reductions
- representations to the local Members of Parliament regarding the impact of budget cuts on Swindon residents
- the sharing of life birth data with Children's Centres and the role of Health Visitors as a conduit for the receipt of life birth information
- the recruitment and training of Health Visitors and the current number of Health Visitors in post.

Resolved - That Minute 17 of the Cabinet be noted.

18. *Budget Management 2014/15 (Minute 18(6) for confirmation)*

Councillors Keith Williams, Cabinet Member for Corporate and Leisure Services, Brian Mattock, Deputy Leader of the Council and Cabinet Member for Health and Adult Social Care, Fionuala Foley, Cabinet Member for Children's Services, and Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills, responded to questions put by the Chair and Councillors James Robbins and John Ballman on the following matters:

- the timeframe for the preparation and consideration of the revised Library Strategy

- the current position regarding the cost of deprivation of liberty safeguards (DOLS)
- the recruitment of social workers and the increased reliance on social worker agency staff
 - the cost of social worker agency staff
 - remuneration levels for social workers and the Swindon offer
 - the likelihood that all social worker vacancies will be filled by permanent staff by 1st September 2014
- the loan facility requested by Swindon Commercial Services Ltd in support of its business case for investment in a can baler for the Recycling facility

Resolved - That Minute 18 of the Cabinet be noted.

19. Capital Programme Monitoring and Treasury Management Performance 2013/14

Councillor Russell Holland, Cabinet Member for Finance, responded to questions put by Councillors Mark Dempsey, Toby Elliott and James Robbins on the following matters:

- the Council's net borrowing position and the level of interest payments on that borrowing
- the long term debt incurred as a result of the housing ballot
- the funding of additional School places in North Swindon
- the interest rates applicable to the Council's new long-term borrowing in 2013/14
 - the circumstances of the long-term loan from the London Borough of Newham
 - the Council's treasury management function in relation to achieving the best loan interest rates applicable to its long-term loan debt
 - the sustainability of the Council's long-term borrowing debt, given the potential increase detailed in the report
- the proposed revised budget for the expansion work at Even Swindon Primary School
- the response to the motion at Council on 3rd April 2014 regarding the S106 contributions towards Coate Water Country Park

Resolved - That Minute 19 of the Cabinet be noted.

(Councillor Robbins made a non-prejudicial declaration of interest in respect of the Committee's consideration of Cabinet Minute 19, in relation to his capacity as a governor of Even Swindon Primary School.)

20. Swindon Local Transport Plan – Implementation Plan 2014/15

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, responded to questions put by the Chair and Councillors Mark Dempsey and Mary Martin on the following matters:

- the current status of the Council's aspirations to the provision of a northern link road
- the sufficiency of finances available for rapid transit corridors and the likely timeframe for implementation

- proposals in this year's implementation plan to alleviate traffic congestion in North and West Swindon.

Resolved - That Minute 20 of the Cabinet be noted.

21. *Swindon Local Flood Risk Management Strategy*

Councillor David Renard, the Leader of the Council, Councillor Brian Ford, Cabinet Member for Streetsmart, and Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, responded to questions put by the Chair and Councillors James Robbins and Mary Martin on the following matters:

- consultation on the Flood Risk Management Strategy and the action open to residents in flood risk areas for their inclusion in future action plans
- the availability of DEFRA funding for homeowners and the process of applying for such funding
- the illegal fly-tipping of green waste into water courses
- the Council's Emergency Planning and continuity arrangements
- the Emergency Resilience Plan and Flood Action Groups
- the impact of flood resistance measures on other flood risk areas and the restrictions this might place on the implementation of such measures
- the limited use of sandbags to divert flood water and the effectiveness and availability of other water diversion measures
- working with the community to maintain water courses and associated safety issues
 - training and risk assessments.

Resolved - That Minute 21 of the Cabinet be noted.

22. *Swindon Emergency Assistance Fund*

Councillor Russell Holland, Cabinet Member for Finance, supported by the Council's Head of Revenues and Benefits, responded to questions put by the Chair and Councillors Toby Elliott, Cindy Matthews on the following matters:

- the cost of administering the Emergency Assistance Fund and the process used for the distribution of food awards
- the automation of the awards process and the availability of suitable IT support
- the status of the proposed introduction of "Universal Credits"
- the Council's in-year collection rates for Council Tax.

Resolved - That Minute 22 of the Cabinet be noted.

23. *Council Tax Recovery and Debt Management*

Councillor Russell Holland, Cabinet Member for Finance, supported by the Council's Head of Revenues and Benefits, responded to questions put by Councillors Vera Tomlinson and Maureen Penny regarding:

- the pilot scheme to contact households in advance of the issue of summonses for non-payment of Council Tax
- assistance for households in producing payment plans for the repayment of Council Tax debts

- the interest charged on debts and additional charges that can be accrued as a result of non-payment of Council Tax
- the text messaging reminder initiative and the reasons for the increases in both the “before reminders and summonses” and “broken arrangements” messages.

Resolved - That Minute 21 of the Cabinet be noted.

13. Cabinet Member Question and Answer Session - Cabinet Member for Corporate and Leisure Services

Councillor Keith Williams, the Cabinet Member for Corporate and Leisure Services, was in attendance and presented a detailed report summarising progress and performance in respect of each of the following service areas within his portfolio of responsibility:

- Human Resources, Personnel & Trades Union Relations (including Staff Nursery)
- Member Development
- Customer Services, including the One Stop Shop
- Health and Safety
- Civic Campus
- Digital by Design
- IT Strategy and Core Processes
- ICT delivery
- Programmes and IT Projects
- Building & Engineering
- Building Services, cleaning, catering & security services
- The Customer Experience
- Swindon Traded Services
- Recreation Services / Leisure and sports centres / Sports development
- Libraries

At the request of the Chair, Councillor Williams, in his presentation of the report, commented specifically on those elements within his portfolio which he felt had been most successful, those where a different approach might have produced better results and the lessons that might have been learned as a consequence, and the challenges he expected to be faced by the Council relation to these service areas in the coming year and beyond, particularly in relation to on-going budgetary constraints.

Following his presentation of the report, Councillor Williams responded to members' specific questions and observations on the following topics:

- Implementation of the Council's ICT for the next five years and the appointment of a new Head of ICT
- the Council's due diligence in relation to the preferred bidder for its golf services and the assessed credit risk of the company
 - the preferred bidder's most recent financial accounts and details of their cash assets

- the Council's commercial arrangements in relation to its leisure facilities and the feasibility of addressing outstanding member and public concerns through contract arrangements
- the transfer of the council's leisure facilities and the protection of less-viable facilities in the longer term
 - the "keep open" clauses within the contract
 - the "keep open" periods and first call on the leisure assets in the event of the management company becoming bankrupt after these periods of time
- the timeframe for development of the Oasis site and issues relating to the management of the project
- the availability of the 2013 Financial accounts of the preferred bidder for the Council's golf services
- the availability of comparative performance data
- the future of the Highworth Rec (in the event it is not included in the leisure facilities transfer)
- the backlog maintenance position for leisure services
- the level of consultation on the draft library strategy
- the recruitment of volunteers to support staff within the library service

Resolved – (1) That Councillor Williams, and his support team of officers, be thanked for attending the meeting to present this performance report and for their full and open responses to members' questions and observations on the issues raised.

(2) That information requested by members during the course of the Committee's consideration of this item be forwarded to members via the Committee Clerk.

SCRUTINY COMMITTEE

MONDAY, 11 AUGUST 2014

PRESENT:- Councillors John Ballman, Mark Dempsey, Toby Elliott, Cindy Matthews, Maureen Penny, James Robbins, Vera Tomlinson, Steve Weisinger, Robert Wright (Chair) and Oliver Donachie

Councillor Brian Mattock was also in attendance.

Apologies for absence were received from Councillors Mary Martin (Vice-Chair), Kevin Parry and Stan Pajak

14. Declarations of Interest

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

15. Minutes

Resolved – That the minutes of the meeting held on 28th July 2014 be confirmed and signed as a correct record.

Members expressed concerns about not receiving responses to a number of questions asked at the last meeting. The Director of Law and Democratic Services explained that August was the traditional time for officers to take annual leave and that the time between the last Scrutiny Committee and this meeting was very close. However, he would arrange for the responses to be followed up.

16. Public Question Time

There were no public questions.

17. Cabinet Member Question and Answer Session - Cabinet Member for Health and Adult Social Care

Councillor Brian Mattock, the Deputy Leader of the Council and Vice Chair of Cabinet and Cabinet Member for Health and Adult Social Care, was in attendance and presented a detailed report summarising progress and performance in respect of each of the following service areas within his portfolio of responsibility:

- Adult Services / Older People's (Social) Services
- Health and Wellbeing Board
- Close working with the Care Quality Commission
- Community Mental Health Services
- Enterprise Works
- Public Health
- Supporting People
- Learning Disability Partnership Board

- Maintaining links between the Council and partner organisations in the Health Services
- Services for People with Disabilities
- Adult Social Care Services Department Management Overview
- SEQOL Client Lead Member
- Control Room Operations
- Emergency Planning
- Wichelstowe
- Supporting the Cabinet Member for Communities and Volunteering to develop community capacity

At the request of the Chair, Councillor Mattock, in his presentation of the report, commented specifically on those elements within his portfolio which he felt had been most successful, those where a different approach might have produced better results and the lessons that might have been learned as a consequence, and the challenges he expected to be faced by the Council relation to these service areas in the coming year and beyond, particularly in relation to on-going budgetary constraints.

Following his presentation of the report, Councillor Mattock responded to members' specific questions and observations on the following topics:

- How Localities helped to deliver the Adult Social Care change programme
- The need for Localities to be more than an informational resource and to be aware of the challenges that the Council faced in the sphere of Adult Social Care
- The on-going issue of the provision of the Memory Service within Swindon
- The resources available to manage increased referrals for the Authorisation of Deprivation of Liberty Safeguarding following the ruling by the Supreme Court.
- Information about the person taking on the role of the Best Interest Assessor
- The increasing financial burden on Councils of residents taking up places at residential care homes and the issue of putting a cap on the contribution made by the Council
- Concern at the results of the 2013/14 Adult Social Care Outcome Framework annual statutory Client Survey in relation to the proportion of people who use services who find it easy to find information about services
- The safeguards in place to avoid abuses of the process in relation to responsibilities under the Mental Health Act, in particular where a person lacks the Mental Capacity to make their own decisions about where they live and the support that they need, the home or hospital has the ability to grant themselves up to 7 days Authority to Deprive that person of their Liberty in order that they can receive the care that they require
- The challenges presented to the Council in managing the demand for services with the projected increases in the number of people requiring the services of adult social care by 2031
- The need to know the future increase in numbers of people demanding services in addition to percentage figures
- The latest position regarding the fire at Averies Recycling, the role and action taken by the Environment Agency including a Regulation 57 notice, public engagement, concerns at the potential health and environmental issues and

the need to keep local Councillors and the public informed of the latest developments

- Information about the early tendering of the Befriending and Reducing Isolation contract
- Concern at the increase in the number of older people over the age of 85 entering residential care during 2013/14, especially as the national picture was to encourage older people to remain in their own homes for as long as possible
- The effectiveness of current strategies in relation to older people entering residential care homes
- The total amount of financial support offered by the Council to people living in their own home before a place in a residential home is recommended
- The features of the Better Care Fund, in particular a significant proportion of the allocation being based on payment by result and whether Swindon was likely to achieve the results needed to receive the full allocation
- The reduction in the number of people continuing to smoke, the rise in use of e-cigarettes, the amount of information available to councils about e-cigarettes and advice being given to the public about their use
- The use of vaporising e-cigarettes in restaurants, public perception and possible use of bye-laws to bring the use of them in line with current legislation on tobacco cigarettes
- The challenge for disabled people in using the shared space at Regents Circus
- The need for all Councillors to receive education on health issues and the need to increase member participation at training events

Resolved –

(1) That Councillor Mattock, and his support team of officers, be thanked for attending the meeting to present this performance report and for their full and open responses to members' questions and observations on the issues raised.

(2) That information requested by members during the course of the Committee's consideration of this item be forwarded to members via the Committee Clerk.

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Section 3

Regulatory Committee Minutes

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LICENSING COMMITTEE

WEDNESDAY, 13 AUGUST 2014

PRESENT:- Councillors Junab Ali, Abdul Amin, John Ballman, Andrew Bennett, Alan Bishop, Michael Bray, Oliver Donachie, John Haines, Derique Montaut, Timothy Swinyard, Vera Tomlinson (Chair), Steve Wakefield and Peter Watts.

Apologies for absence were received from Councillors Stan Pajak and Eric Shaw.

12. Declarations of Interest

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

13. Public Question Time

No public questions were received during the meeting.

14. Minutes

Resolved – That the minutes of the meeting held on 2nd July 2014 be confirmed and signed as a correct record.

15. Revision of Street Trading Policy

The Council's Licensing Officer submitted a report setting out proposed revisions to the Council's Street Trading Policy and in particular permitting music to be played during street markets organised by InSwindon on behalf of this Council.

Resolved – That Council be recommended to approve and adopt the revised Street Trading Policy, as set out in Appendix 3 to the report of the Council's Licensing Manager.

16. Delegation of Functions under the Scrap Metal Act 2013

The Council's Licensing Manager submitted a report setting out (a) a proposal to seek the agreement of the Cabinet to delegate functions under the Scrap Metal Dealers Act 2013 from itself as the executive body to the Licensing Committee, and (b) subject to the concurrence of the Cabinet, to further delegate those functions to the Licensing Sub-Committees and the Head of Planning and Regulatory Services.

Resolved – (1) That the Cabinet be requested to delegate all the Council's (executive) functions under the Scrap Metal Act 2013 to the Licensing Committee.

(2) That, further to (1) above, the Cabinet be requested to approve the following delegations to the Ad-Hoc Licensing Sub-Committee:

(i) The determination of new and renewal applications under the Act where:

(a) the applicant or site manager has been convicted of a relevant offence or subject to relevant enforcement action under the Act, or

(b) a previous application for a scrap metal licence or environmental permit/registration has been refused, or

- (c) a previous scrap metal licence has been revoked; and
- (ii) The revocation of a licence issued under the Act or the variation of a licence to include conditions.
- (3) That, further to (1) above, the Cabinet be requested to approve the following delegations to Head of Planning and Regulatory Services:
- (i) The administration and enforcement of the functions under the Act;
- (ii) The power to request further information of applicants;
- (iii) The determination of new, renewal or variation applications, other than where:
- the applicant or site manager has been convicted of a relevant offence or subject to relevant enforcement action under the Act, or
 - a previous application for a scrap metal licence or environmental permit/registration has been refused, or
 - a previous scrap metal licence has been revoked;
- (iv) The power to give notice to an applicant or licensee of the authority's proposal to consider refusing an application or revoking or varying a licence, and to invite representations from the applicant or licensee; and
- (v) The power to issue or cancel a closure notice for unlicensed sites under Schedule 2 to the Act, and where appropriate, to apply for closure orders and take such other action in this respect as may be required.

(4) That, subject to the approval of the Cabinet to the proposals set out in (1) to (3) above, the Director of Law and Democratic Services be requested to make the necessary arrangements for the inclusion of these delegations in the Council's Constitution and Scheme of Delegations.

17. Adoption of Consolidated Skin-piercing Byelaws

The Council's Licensing Manager submitted a report setting out proposals to revoke existing Swindon Borough Council Byelaws relating to Acupuncture and Tattooing and to replace them with the Department of Health's model consolidated Byelaw relating to Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis.

Resolved – (1) That Council be recommended to:

- (a) subject to (b) below, approve that it revokes the existing Swindon Borough Council Byelaws relating to Acupuncture and Tattooing (Appendices A and B of the Licensing Manager's report);
- (b) approve, adopt and affix the Council's common seal to the Byelaw on Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis set out in Appendix C to the Licensing Manager's report; and
- (c) authorise the Director of Law and Democratic Services to carry out the necessary procedure to apply to the Secretary of State for the confirming of the Byelaw.

18. Introduction of Licence Conditions for Home Boarding of Dogs

The Council's Licensing Manager submitted (a) a report reviewing the licence conditions currently in force in respect of home boarding for dogs pursuant to the Boarding Establishments Act 1963, and (b) a LACORS briefing note in respect of

the home boarding of cats and dogs.

Resolved – (1) That the proposed conditions for the of home boarding for dogs from different families with licensed commercial home boarding dog establishments within the Borough, as set out in Appendix 2 of the Licensing Manager's report, be approved.

(2) That, further to (1) above, the Council's Licensing Manager be authorised to undertake a consultation with interested individuals and businesses, on the proposed revised conditions for the home boarding of dogs from different families with licensed commercial home boarding dog establishments within the Borough, as set out in Appendix 2 of the Licensing Manager's report.

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LICENSING PANEL

WEDNESDAY, 2 JULY 2014

PRESENT:- Councillors Derique Montaut, Eric Shaw and Vera Tomlinson

Apologies for absence were received from Councillors .

1. Appointment of Chair

Resolved – That Councillor Derique Montaut chair this meeting of the Panel.
(Councillor Montaut took the Chair.)

2. Minutes

Resolved – That the minutes of the meeting held on 10th April 2014, be confirmed and signed as a correct record.

3. Declarations of Interest

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

4. Licensing Act 2003 - Temporary Event Notice - Consideration of an Objection Notice in respect of Warren Farm, Liddington, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application for a Temporary Event Notice for Warren Farm, Liddington, Swindon, (b) written representations from Wiltshire Police and the Council's Environmental Health Department in respect of the application, (c) oral submissions from the Police and the Council's Environmental Health Department in respect of their written submissions, (d) oral submissions received from Mr Mark Loddington (applicant) in support of the application (e) questions from Members to the applicant, Police and Public Health representatives and answers received, and (f) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Licensing Policy.

After considering: -

1. The application for a Temporary Event Notice; and
2. Representations and material put forward on behalf of the Objectors;

And taking into account: -

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

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

- i. The prevention of public nuisance
- ii. Public Safety

The Panel determined that it would not to issue a counter notice and granted the Temporary Event Notice subject to the following conditions being applied:

(1) Annexe 2 of the Premises Licence - Conditions 2, 4 and 7.

Reasons

(i) That the conditions set out, and transferred from the existing Premises Licence, were relevant and proportionate to an event of the size being proposed.

(ii) The conditions as applied to the existing Premises Licence had proven to be effective in the maintenance of the Licensing Objectives.

(2) Annexe 3 of the Premises Licence – Conditions 1, 2, 3 4, 13, 15, 19 and 20.

Reasons

(i) That the conditions set out, and transferred from the existing Premises Licence, were relevant and proportionate to an event of the size being proposed.

(ii) The conditions as applied to the existing Premises Licence had proven to be effective in the maintenance of the Licensing Objectives.

(3) The following amended conditions in Annexe 3 of the Premises Licence:

(a) Condition 7 be applied and amended to read: “The licence holder shall provide contact details of the person responsible for managing noise at the event to the manager of the Environmental Enforcement Team not less than 24 hours prior to the start of the event.

Reason

The Panel determined that it would be overly onerous to condition the appointment of a noise control consultant for an event of the size proposed.

(b) Condition 8. The person responsible for managing noise at the event shall be on site for the duration of the period of amplified music during the festival and shall liaise between all parties including the licence holder, promoter, sound system provider, sound engineer and the licensing authority on all matters relating to noise control. Noise data from all monitoring positions shall be submitted to the Environmental Enforcement Manager [or his or her successor] upon request.

Reason

The Panel determined that it would be overly onerous to condition the appointment of a noise control consultant for an event of the size proposed.

LICENSING PANEL

MONDAY, 14 JULY 2014

PRESENT:- Councillors Abdul Amin, Vera Tomlinson and Michael Bray and Vera Tomlinson.

Apologies for absence were received from Councillors .

1. Appointment of Chair

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

2. Declarations of Interest

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

3. Application to Application for the grant of a Premises Licence in respect of Highworth Town Junior Football Club, Sands Grounds, Swindon Road, Highworth SN6 7ES

The Panel considered (a) a written request from the applicants seeking an adjournment of the hearing tabled at the meeting, and (b) further oral representations from the applicants confirming that they wished to proceed with the hearing and confirming that they were satisfied that they were in a position to make their representations as they wished to do so. The Panel determined that having received such assurances the hearing would proceed.

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application for a variation to the Premises Licence held by Highworth Town Junior Football Club, Highworth, Swindon, (b) written representations from local residents against the grant of the variation, (c) written representations from local residents in support of the application, (d) additional representations tabled at the meeting, (e) oral submissions by Councillors Alan Bishop and Maureen Penny (attending in their capacity as Borough Councillors), (f) oral submissions received in support of the application from Mark Collet and Liz Barron (on behalf of Highworth Town Junior Football Club), (g) questions from Members to the applicants and objectors and answers received, and (h) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Licensing Policy.

After considering: -

1. The application for a variation of a Premises Licence; and
2. Representations and material put forward on behalf of the Police, Environmental Health Department, Applicant, Highworth Town Council, Ward Councillors, Local residents opposing the application and local residents supporting the application;

And taking into account: -

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

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

- i. The prevention of public nuisance
- ii. Protection of Children from Harm.

The Panel in considering the application paid no regard to submissions in relation to Planning which fell outside the remit of the Panel.

The Panel noted that the existing hours of operation for indoor activities remain as stipulated already on the licence.

The Panel determined that the application for a variation of the Premises Licence to include outdoor events be granted subject to the following hours and conditions:

Sale of Alcohol

Monday to Thursday inclusive	19.00 – 23:00
Friday	18.00 – 00:00
Saturday and Sunday	10:00 - 00:00

Plays, Films, Indoor Sporting Events

Monday to Sunday inclusive	10.00 – 00:00
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Recorded Music and Live Music

Monday to Sunday inclusive	10.00 – 23:00
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Late Night Refreshment

Monday to Sunday inclusive	23.00 – 00.00
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Opening Hours

Monday to Sunday inclusive	10.00 – 00.00
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Reason

(i) To define the scope of the varied licensable activities and to protect the amenities of local residents.

(ii) That the hours approve, as proposed by the applicant, were subject to conditions and it was determined that approval of such hours subject to conditions should ensure minimal impact on the amenities of local residents.

Conditions:

(1) That the Police conditions set out on Pages 55 to 57 of the agenda pack be approved subject to the following amendments:

Reason

(i) That the proposed measures set out by the police, as amended, were proportionate in ensuring the maintenance of the Licensing Objectives.

(ii) The Panel noted that the applicant accepted the Police conditions.

(a) That conditions 1, 2 and 6 shall be substituted for conditions 1, 2 and 3 on the existing licence.

Reasons

(i) The substituted conditions allowed for the same conditions to be applied to both outdoor and indoor events.

(ii) The conditions imposed would assist the Licensee in protecting children from harm. The Panel noted that the applicant accepted the proposed conditions.

(b) That conditions 8 and 9 shall be amended so as to apply to outdoor events with anticipated attendance exceeding 499 people.

Reasons

The Panel determined that the imposition of these conditions for smaller events would be overly onerous given that there has been no history of public control issues at previous events.

(c) Condition 4 shall be amended to apply to both indoors and outdoors and shall cover the whole of the premises used for entertainments.

Reasons

(i) To assist the applicant in meeting the prevention of public nuisance objective and to assist in their management of events.

(2) That the conditions recommended by the Council's Environmental Health Department be approved subject to the following amendments:

Reason

(i) That the proposed measures set out by the Environmental Health Department, as amended, were proportionate in ensuring the maintenance of the Licensing Objectives and in protecting the amenity of local residents.

(a) That Condition 1 relating to the Event Management Plan shall be amended so as to apply to outdoor events with an anticipated attendance exceeding 499 people.

Reason

The Panel determined that the imposition of these conditions for smaller events would be overly onerous given that there has been no history of public control issues at previous events.

(b) That Condition 2 be amended to delete the reference to a maximum number of 6 outdoor events each year.

Reason

The Panel determined that given the evidence before on previous management of events and the proposed nature of events to be held at the venue that this condition was unnecessarily restrictive to the management and promotion of events at the venue.

(c) That Condition 2 be amended to require the organiser of outdoor events to provide the Local Authority and Police with 28 days notice for outdoor events with an anticipated attendance exceeding 499 people and in respect of all other events a minimum of 14 days notice or as soon as is practicable.

Reason

(i) The Panel determined that, given the evidence before it regarding the previous management of events and the proposed nature of events to be held at the venue, the original proposed condition was unnecessarily restrictive to the management of events at the venue.

(ii) The notice period for events was considered proportionate both for the Licensee and to the Statutory Authorities.

(d) That condition 3 be amended to refer to outdoor events with anticipated attendance exceeding 499 people so as to require the organiser to provide a Noise Management Plan.

Reason

That having taken into account representations from the public and Environmental Health Department and the location of the venue in relations to residential properties the Panel determined that it would be overly onerous given that there had been minimal reports of noise nuisance to the Council's Environmental Health Department arising from previous events.

(e) Noise from amplified music at any event shall not exceed 65 dB.

Reason

(i) To protect the amenity of local residents.

(f) That all amplified, live or recorded music in outdoor areas shall cease at 23:00

hrs.

Reason

(i) To protect the amenity of local residents.

(3) That for all outdoor events the organiser will fence off the area within which the event will be held for the duration of the activities provided.

Reason

(i) To assist the Licensee in maintaining the integrity of the premises in the maintenance of the Licensing Objectives

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PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING SUB-COMMITTEE

TUESDAY, 8 JULY 2014

PRESENT:- Councillors John Ballman, Andrew Bennett (Chair), Oliver Donachie, John Haines, Timothy Swinyard and Vera Tomlinson.

Apologies for absence were received from Councillors Junab Ali, Derique Montaut and Steve Wakefield.

1. Appointment of Chair for the Municipal Year 2014/15

Resolved – That Councillor Andrew Bennett be Chair of this Sub-Committee during the Municipal Year, 2014/15.
(Councillor Bennett took the Chair.)

2. Appointment of Vice-Chair for the Municipal Year 2014/15

Resolved – That the appointment of Vice-Chair of the Sub-Committee be deferred until the next meeting.

3. Declarations of Interest

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

4. Minutes

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

5. Exempt Items - Exclusion of Press and Public

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Items 9 and 10 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minutes 8 and 9 refers.)

6. Public Question Time

There were no Public Questions.

7. Review of Hackney Carriage Parking in the Town Centre

The Sub-Committee received an oral report from officers concerning concerns raised by Ward Councillors in respect of inappropriate parking by Hackney Carriage vehicles in the Town Centre area.

Resolved – That officers from the Council's Licensing team be requested to undertake an audit of Hackney Carriage parking provision within the Town Centre

and Old Town areas and submit a report with their findings to this Sub-Committee.

8. Application for the grant of a Private Hire Drivers Licence

The Sub-Committee considered (a) a report of the Council's Licensing Manager setting out an appeal against the decision by officers not to grant a Private Hire Drivers Licence, (b) representations by the appellant in support of his appeal, and (c) questions to the applicant from Councillors and the answers received.

Resolved – That consideration of the appeal be deferred pending the receipt of additional information from the applicant.

9. Application for the grant of a Private Hire Drivers Licence

The Sub-Committee considered (a) a report of the Council's Licensing Manager setting out an appeal against the decision by officers not to grant a Private Hire Drivers Licence, (b) representations by the appellant in support of his appeal, and (c) questions to the applicant from Councillors and the answers received.

Resolved – That the appeal be upheld and the driver named in the report be issued a Private Hire Drivers Licence with immediate effect.

PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING SUB-COMMITTEE

WEDNESDAY, 13 AUGUST 2014

PRESENT:- Councillors Junab Ali, John Ballman, Andrew Bennett (Chair) and John Haines.

An apology for absence was received from Vera Tomlinson.

10. Appointment of Vice-Chair

Resolved – That Councillor John Haines be Vice-Chair of this Sub-Committee for the Municipal Year, 2014/15.

11. Declarations of Interest

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

12. Minutes

Resolved – That the minutes of the meeting held on 8th July 2014, be confirmed and signed as a correct record.

13. Public Question Time

No public questions were received during the meeting.

14. Exempt Items - Exclusion of Press and Public

That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in Item 7 of the Notice of the Meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph of Part 1 of Schedule 12A to the Act. (Minutes 15 refers.)

15. Application for the grant of a Private Hire Drivers Licence

The Sub-Committee considered (a) a report of the Council's Licensing Manager setting out an appeal against the decision by officers not to grant a Private Hire Drivers Licence deferred from the previous meeting (minute 8 refers), (b) representations by the appellant in support of his appeal, (c) additional information provided by the applicant in respect of his application, and (d) questions to the applicant from Councillors and the answers received.

Resolved – That the appeal be upheld and the driver named in the report be issued a Private Hire Drivers Licence with immediate effect.

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PLANNING COMMITTEE

TUESDAY, 10 JUNE 2014

PRESENT: - Councillors Brian Ford, Abdul Amin, John Ballman, Toby Elliott, Colin Lovell (Chair), Richard Hurley, Nicky Sewell, Vera Tomlinson (Vice-Chair), Peter Watts, Nick Martin, Paul Baker, Kevin Parry, Eric Shaw and Carol Shelley.

Apologies for absence were received from Councillors Teresa Page.

1. Declarations of Interest

Councillor Shaw made a personal and prejudicial interest in respect of Agenda Item no 6 (Outline application for up to 103 no. dwellings including landscaping and a new access from Marlborough Road – Access not reserved: Land East of Marlborough Road (to the rear of nos. 1 & 2 The Old Bakery), Wroughton, Swindon) and left the room during the voting and discussion thereon.

Councillor Ford made a personal and prejudicial interest in respect of Agenda Item no 10 (Erection of single storey rear extensions: 6 and 7 Zoar Close Wroughton Swindon) and left the room during the voting and discussion thereon

2. Minutes

Resolved – That the minutes of the meeting held on 29th April 2014, be confirmed and signed.

3. Public Question Time

There were no public questions

4. Determination of Planning and Related Applications

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Director of Planning and Regulatory Services
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The Additional Information Sheet circulated before the meeting;
- (e) Late representations contained in the 'Further Late Papers' circulated on the day of the meeting;
- (f) The comments of Councillors Crabbe and Richards in respect of applications numbered S/OUT/13/62 and S/14/003
- (i) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>	
S/OUT/13/1862	Steve Harcourt	Wroughton Neighbourhood Working Party	Plan
	Chris Kennedy	Wroughton PC	

	John McEwan David Martin	15 Marlborough Road 19 Marlborough Road
S/14/170	James Bye Mr Barnes	18 Mendip Close Local Resident
S/14/003	Chris Kennedy	Wroughton PC
S/14/324	Stuart Gilbert	121 Queensfield
S/14/384	Chris Kennedy Rosemary Morgan	Wroughton PC Applicant

Resolved – (1) That outline permission be refused in respect of application numbered S/OUT/13/62 for the reasons set out in the report.

(2) That the Head of Planning and Regulatory Services be authorised to grant permission in respect of application numbered S/14/170 subject to the completion of a planning obligation to secure the demand upon infrastructure to which it gives rise and subject to the conditions listed in the report.

(2) That permission be granted in respect of applications numbered S/14/003, S/14/324 and S/14/384 subject to the conditions listed in the reports set out in the Agenda.

PLANNING COMMITTEE

TUESDAY, 12 AUGUST 2014

PRESENT: - Councillors Brian Ford, Abdul Amin, John Ballman, Toby Elliott (Vice-Chair), Colin Lovell (Chair), Teresa Page, Nicky Sewell, Vera Tomlinson, Peter Watts, Nick Martin, Alan Bishop, Paul Baker, Eric Shaw and Carol Shelley.

Apologies for absence were received from Councillors Kevin Parry.

5. Declarations of Interest

Councillor Shaw made a non-personal or prejudicial interest in respect of Item No. 8 and stayed in the room during the voting and discussion thereon.

6. Minutes

Resolved – That the minutes of the meeting held on 10th June 2014, be confirmed and signed.

7. Public Question Time

There were no public questions

8. Determination of Planning and Related Applications

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Director of Planning and Regulatory Services;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (f) The comments of Councillor Joe Tray in respect of application numbered S/13/1690
- (f) The comments of Councillor Maureen Penny in respect of application numbered S/14/757
- (i) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/13/1690	Chris Dolling Mr Dennis	Applicant 2 Roth Gardens
S/14/757	Simon Chamberlayne	Agent
S/14/676	Neil Armstrong Paul Walton 2 ½ min Chris Rawlings 2 ½ min Hilary Howe	Agent Chiseldon PC Chiseldon PC 10 Butts Road

Resolved – (1) That the Head of Planning and Regulatory Services be authorised to grant planning permission in respect of application numbered S/13/1690 subject to the completion of a planning obligation to secure the necessary infrastructure mitigation arising from the development and subject to the conditions listed in the report, with authority to vary the content and/or wording of both as appropriate.

If by the 20th August 2014 the legal agreement has not been completed and a further extension of time has not been agreed to, the Head of Planning and Regulatory Services may refuse planning permission for the following reason:

'The applicant has failed to enter into a legal agreement to secure the necessary infrastructure provision to mitigate the development. As such the proposal is contrary to policy DS8 of the Swindon Borough Local Plan 2011 (2006) and the Council's adopted 'Developer Contributions 2010 Update' Guidance Note (Nov, 2010).'

(2) That the Head of Planning and Regulatory Services be authorised to grant planning permission in respect of application numbered S/14/757 subject to amendments to the conditions listed in the report including:

‘Operational End’

If the solar park ceases to be operational before the end of 1st September 2040 then all apparatus and equipment including the arrays, cables, inverter and substation buildings shall be removed from site and the land returned to agricultural use. This work shall be carried out within 12 months of the cessation of the use and in accordance with an agreed decommissioning method statement, details of which have first been submitted to and approved in writing by the local planning authority. Reason: In the interest of amenity and protection of the countryside.

“Construction Method Statement”

Amended to require submission of details and agreement for timing of deliveries and traffic control measures.

(3) That the Head of Planning and Regulatory Services in consultation with Chiseldon Parish Council be authorised to grant planning permission in respect of application numbered S/14/676 subject to the receipt of satisfactory revised plans and details that reduces the height of the proposed garage to mitigate the committees concerns of visual impact and subject to the conditions set out in the report and any necessary or consequential amendments that may arise from the revised details.

9. Protocol for Neighbour Consultation on Planning Applications

The Head of Planning and Regulatory Services submitted a report seeking the approval of this Committee for the adoption of a protocol for neighbour consultations on planning and related applications

Resolved – That this Committee agrees that:

- (1) The protocols set out in section 3 of the report be adopted as the basis for notifying neighbours of planning applications
- (2) The report be circulated to all Borough Councillors and Parish and Town Councils for information.

- (3) The Council's Statement of Community Involvement in Planning be amended at the next review to reflect these changes
- (4) The information be published in the planning pages of the Councils Web site.

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EDUCATION TRANSPORT APPEALS SUB-COMMITTEE

WEDNESDAY, 16 JULY 2014

PRESENT:- Councillors Michael Bray, Vera Tomlinson and Peter Watts.

Apologies for absence were received from Councillors .

34. Appointment of Chair

Resolved: That Councillor Michael Bray be appointed Chair of this meeting of the Sub-Committee.

35. Declarations of Interest

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

The Chairman declared that he lived in the Ward that one of the applicants for free transport also lived in; however, he had no knowledge of the applicant.

36. Minutes

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

37. Exempt Items - Exclusion of Press and Public

Resolved That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 37 refers).

38. Home to School Transport Appeals

The Sub-Committee considered (a) a report of the Board Director, Commissioning setting out education transport appeals that officers could not determine under delegated authority and (b) the written submissions of parents in support of their appeals.

Resolved:

- (1) That, it be noted that appeal numbers TA/13/96 and TA/13/111 were withdrawn before the meeting.
- (2) That, due to there being no exceptional circumstances, appeal number TA/13/484 be refused.

- (3) That, appeal number TA/13/97 be deferred for further information from the appellant.

EDUCATION TRANSPORT APPEALS SUB-COMMITTEE

WEDNESDAY, 16 JULY 2014

PRESENT:- Councillors Michael Bray, Vera Tomlinson and Peter Watts.

Apologies for absence were received from Councillors .

39. Appointment of Chair

Resolved: That Councillor Michael Bray be appointed Chair of this meeting of the Sub-Committee.

40. Declarations of Interest

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

41. Exempt Items - Exclusion of Press and Public

Resolved That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 41 refers).

42. Home to School Transport Appeals

The Sub-Committee considered (a) a report of the Board Director, Commissioning setting out education transport appeals that officers could not determine under delegated authority and (b) the written submissions of parents in support of their appeals.

Resolved:

- (1) That, due to there being no exceptional circumstances, appeal number TA/13/113 be refused.

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EDUCATION TRANSPORT APPEALS SUB-COMMITTEE

TUESDAY, 12 AUGUST 2014

PRESENT:- Councillors Michael Bray, Vera Tomlinson and Peter Watts.

43. Appointment of Chair

Resolved: That Councillor Michael Bray be appointed Chair of this meeting of the Sub-Committee.

44. Declarations of Interest

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

45. Minutes

Resolved: That the minutes of the meetings held on 16 July 2014, be confirmed and signed as a correct record.

46. Exempt Items - Exclusion of Press and Public

Resolved That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 46 refers).

47. Home to School Transport Appeals

The Sub-Committee considered (a) a report of the Board Director, Commissioning setting out education transport appeals that officers could not determine under delegated authority and (b) the written submissions of parents in support of their appeals.

Resolved:

- (1) That, due to there being no exceptional circumstances, appeal number TA/14/1461 be refused.
- (2) That appeal numbers TA/14/1311 and TA/14/1301 be deferred until a decision on had been made on a recent school admission application.
- (3) That, due to the exceptional circumstances outlined in the appeal, appeal number TA/14/1381 be upheld and a taxi provided until the end of the academic year 2014/15.
- (4) That, due to the exceptional circumstances outlined in the appeal, appeal number TA/14/971 be upheld and a bus pass be provided until the appellant remains at the school.

Section 4

Children Services Bodies Minutes

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SWINDON CHILDREN'S TRUST BOARD

THURSDAY, 19 JUNE 2014

PRESENT: Liz Holmes (Chair), Councillors Fionuala Foley and Michael Bray, Kathie Bryan (Head Teachers), Valerie Johnstone (Governors), Mike Howard (LSCB), Michelle Maguire (CAMHS), John Gilbert, Board Director Commissioning, Children and Adults, Paddy Bradley, Head of Economy and Skills, Sue Wald, Head of Commissioning, Children and Adults, Cherry Jones (Acting Director of Public Health), Jo Olsson (Interim Head of Children and Families), Katy Staples (SACRE), Louise Campion (Principal Officer, Health & Wellbeing).

Apologies for absence were received from Councillor Cindy Matthews, Kate Rowe (Sure Start), Debbie Kalynka (Primary Headteachers), David Dawson (Diocese) and Scott Taylor (Fire Service).

1. Minutes

Resolved: That the minutes of the meeting held on 13th March 2014 be confirmed and signed as a correct record.

2. Public Question Time

No public questions were asked at the meeting.

3. Swindon SACRE Annual Report 2012-13

The Board received a report from the Director of Law and Democratic Services detailing the work undertaken by the Swindon Standing Advisory Council for Religious Education (SACRE) for the period September 2012 to August 2013. Ms Katy Staples, SACRE Advisor, referred to the annual report, commented on the work undertaken by the group and the importance of linking SACRE work with other Bodies to aid the safeguarding of young people within the borough.

The Board welcomed the report and discussed the following issues:

- The reduction of pupils sitting RE Exams. The Board noted that the number of pupils taking RE in Swindon was below the national average and that a reduction of curriculum time for this subject may be a contributing factor.
- Future dialogue between Swindon Association of Secondary Headteachers (SASH) and SACRE in order for SACRE to assist headteachers in meeting their religious education statutory requirements.
- Possible discussions between students and schools to ascertain reasons for low take up of RE at schools.
- The provision of religious education and collective worship training for governors provided by SACRE.

Resolved: (1) That the report be noted.

(2) That further updates be submitted at a future meeting of this Board.

4. Ofsted and Care Quality Commission Inspections

The Cabinet Member for Children's Services and the Board Director, Commissioning submitted a joint report setting out (a) the findings of two major inspections of Children's Services in Swindon and (b) reports on the actions planned to meet identified areas for development.

Ms Jo Olsson, Interim Head of Children, Families and Community Health, introduced the report and explained that it covered both the Care Quality Commission Inspection and Ofsted Inspection Findings. She commented on the findings and how these would be incorporated into action plans.

Ms Olsson responded to the Committee's questions and comments in respect of the following points:

- Review the difference in formats between the Ofsted and Care Quality Commission action plans to ensure ease of monitoring.
- Further to Point 5 of the Ofsted Action Plan, how the local authority would be able to monitor the complexity and work commitment being undertaken by partners to reflect their key roles in delivering service outcomes.
- Action plans tackle areas that need immediate improvement and how this would translate into shaping future early help and intervention work.

Resolved: (1) That the findings of the Ofsted and Care Quality Commission inspections and action plans be noted.

(2) That the Board Director Commissioning and the Cabinet Member for Children's Services, be delegated the responsibility for monitoring the implementation of the action plans, involving the Education, Health and Caring Services Overview and Scrutiny Committee in areas particularly important to the Council, including the strategic priorities identified at 4.1.4.

5. Children's Trust Board Performance Report

The Board Director Commissioning, Children and Adults and the Head of Commissioning, Children and Adults, presented a report updating the Committee on the final performance outturn for Children's Services for the period to June 2014. Ms Jo Olsson, Interim Head of Children and Families stated that the report had been structured to highlight the strengths and challenges of work to be undertaken.

In response to a comment regarding the redistribution of resources, Ms Olsson referred to the plans being directed to target resource particularly towards Early Help and Intervention services.

Resolved: That the report be noted.

6. The Quality Account 2013-14 - Children's Community Health Services

The Cabinet Member for Children's Services and the Board Director Commissioning, Children submitted a joint report regarding the Quality Account for the period 2013/14. Ms Louise Campion, Principal Officer, Health and Wellbeing introduced the report and referred to the Quality Account as a means for the public to make informed decisions regarding local services. She referred to the structure of the guidance and the audit programme.

Ms Campion responded to observations on the following issues:

- Lack of information regarding “The Voice of the Child” in the Quality Account, particularly regarding the “added value” provided through the delivery of services by school nurses in secondary schools.
- Clearer demarcation of services provided by the Local Authority (LA) and the NHS in order to promote work undertaken by the LA as a community health provider.
- The need for clarity on service provision regarding integrated health demand must be communicated more effectively to local community in order for them to understand who provides what service.

Resolved: That the report be noted.

(2) That the Chair be requested to provide a written comment regarding the submission of the Quality Account report to the Board for its consideration.

7. Health Visiting – An Update On Our Local Service

The Cabinet Member for Children’s Services and the Board Director Commissioning, Children submitted a joint report updating the Board on the changes in Health Visiting nationally and how these have been implemented locally. Ms Louise Campion, Principal Officer, Health and Wellbeing, described the quality, effectiveness and impact of the local services and drew the Board’s attention to challenges faced as a provider to deliver the target number of Health Visitors by March 2015. She referred to the training and recruitment of extra health visitors that has been on-going over the past two years and advised that this was the final year of implementing the national “Call to Action” programme for transforming Health Visiting provision in Swindon.

The Board welcomed the report and commented on the following points:

- Clarification on meeting the target of recruiting and training health visitors.
- Competitiveness of the health visitor recruitment market and its impact on Swindon.

Resolved: (1) That the report be noted.

(2) That a report on the progress over the last year of the programme be submitted at a future meeting of this Board.

8. Breastfeeding Update

The Cabinet Member for Children’s Services, Board Director Commissioning, Children and Adults and Acting Director of Public Health submitted a joint report concerning the delivery of the Swindon Breastfeeding Strategy, including performance over the past twelve months and covered information on the challenges to improve breastfeeding rates in Swindon. Ms Fiona Dickens, Public Health Programme Manager, explained that data was recorded just after birth and again between six to eight weeks after birth and this was a national mandatory requirement. This allowed comparison of data nationally and with statistical neighbours. She explained that enquires were being made with NHS England regarding data to be collected, and referred to the UNICEF Baby Friendly initiative that is being implemented in the Swindon Borough Council Children, Families and Community Health services and well as in the Great Western hospital. This initiative supports mothers who choose to breastfeed.

Ms Dickens responded to the Boards queries regarding the following topics:

- How lack of health visitors affected data recording and on the work being

undertaken with GPs to enable them to record breastfeeding data at 6- 8 weeks.

- Clarity on total number of women interviewed in relation to the percentage figures recorded.
- Realistic target provision for the 6 to 8 week recording.

Resolved: (1) That the report be noted.

(2) That the Acting Director of Public Health be requested to include the Board's suggestions for improvement into the Breastfeeding Action Plan for 2014/15.

9. Children's Centres

The Cabinet Member for Children's Services and the Board Director Commissioning, Children and Adults submitted a joint report updating the Board on the progress of the Children's Centres restructure and the tendering processes to date.

Ms Joy Kennard, Strategic Commissioner, Children and Families, referred to the performance of Children Centres over the period 2013/14 and commented on the number of changes implemented over the past year and their impact on partners and stakeholders. She referred to the sharing of information across different recording platforms, Ofsted Inspections, work undertaken within cluster areas to ensure funding reached families in need and on the regular monthly meetings with Children Centres regarding their action plans.

Ms Kennard responded to members' questions and observations on the following issues:

- Children Centres holding food bank vouchers for issue to families.
- Schools acting as critical partners in supporting vulnerable families as they are often able to spot first signs of difficulty and can work closely with Children Centres.

The Chair referred to questions submitted by Cllr Matthews regarding registrations from registrars, initial Child Protection conferences, Children in Care and Children in Need meetings. Ms Kennard and Mr John Gilbert, Board Director Commissioning, responded at the meeting and agreed to submit a written response to Cllr Matthews.

Resolved: That the Board supports the continued plan to improve the performance of Children's Centres across Swindon and for individual partner organisations and agencies to take actions to support the improvements as required.

10. Swindon Children's Trust Board Meeting Plan 2014 15

Mrs Liz Holmes, Chair of the Swindon Children's Trust Board, submitted a proposed meeting schedule for the Municipal Year 2014/15. Councillor Foley commented on the poor attendance at the current and previous meetings and explained that a review of attendees may be required in order to ensure feedback and information from the meeting was appropriately disseminated. Mr Mike Howard, Chair, Local Safeguarding Children's Board (LSCB) also referred to his concerns regarding the poor attendance of key agencies to the LSCB meetings.

Resolved: (1) That the report be noted.

(2) That the Chair and Mr Howard, (LSCB) review who should be attending

the meetings and issue appropriate invitations and/or ask for nominees to sit on both Boards.

11. Minutes of Local Safeguarding Children's Board

The Cabinet Member for Children's Services and the Board Director Commissioning, Children and Adults, submitted a joint report setting out the minutes of the Local Safeguarding Children's Board (LSCB) meeting of 11th March 2014. Mr Mike Howard, Chair, Swindon Local Safeguarding Children Board (LSCB), presented the report highlighting matters of particular significance including posters on Thamesdown buses regarding the Cyber Bullying Awareness Campaign and the Feeling Safe Survey, which was the successor of the Tell Us Survey and which was being directed at primary and secondary schools.

Resolved – That the report and the minutes of the Local Safeguarding Children's Board meeting of 11th March 2014, be noted.

12. Minutes of Joint Commissioning Board (Adults & Children)

The Cabinet Member for Children's Service and the Board Director Commissioning submitted a joint report setting out the minutes of the Joint Commissioning Board (Adults and Children) meeting of 4th March 2014.

Resolved – That the report and minutes of the Joint Commissioning Board - (Adults and Children) meeting held on 4th March 2014, be noted.

13. Dates of Future Meetings

It was noted that meetings of the Board are scheduled for the remainder of the Municipal Year 2014/15 as follows:

Thursday, 11th September 2014 at 3.00 p.m. in Committee Room 6.

Thursday, 4th December 2014 at 3.00 p.m. in Committee Room 6.

Thursday, 12th March 2015 at 3.00 p.m. in Committee Room 6.

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SCHOOLS FORUM

TUESDAY, 8 JULY 2014

PRESENT: -

School Members:

Steve Colledge, Chair - Academy Headteacher
Paul Boyles, Vice-Chair - Academy Governor
Janet Urban, Primary Headteacher
Rhian Cockwell, Primary Headteacher
Alison Lowe, Primary Headteacher
David Easter, Primary Governor
Ray Williams, Primary Governor
Rachael Matthey, Secondary Headteacher
Jackie Smith, Special Headteacher
Joanne Brown, Special Governor
Richard Marshall, PRU
Nick Capstick, Academy Headteacher
Lauren Connor, Academy Headteacher
Wendy Conaghan, Academy Headteacher
Lynne Fletcher, Academy Finance
Andy Hazelton, Academy Governor

Non-School Members:

Andrew Wild, Diocese - Bristol
Ruth Lee, Diocese of Clifton
Peter Smith, Trade Unions
Debbie Waldron, Early Years Representative
Cathy Parker, Early Years Representative (Deputy)
Andrew Miller, 16-19 Partnership
Graham Taylor, 16-19 Partnership
Ram Thiagarajah, BME

Officers:

Apologies for absence were received from Andrew Henstridge (Primary Headteacher).

1. Minutes of Previous Meeting

Resolved: That the minutes of the meeting held on 11th March 2014 be confirmed and signed.

2. Schools Forum Membership

The Head of Economy and Skills submitted a report setting out the mechanisms to be undertaken to elect members to the Schools Forum with effect from September 2014.

Resolved – That the Schools Forum agrees:

- (1) The election mechanism as set out in the report for future Schools Forum representation
- (2) A timescale to implement the mechanism referred to in (1) above by October 2014
- (3) The revised Terms of Reference for the Schools Forum

3. Final Dedicated Schools Grant Outturn 2013-14

Steve Haley, Finance Manager, Education and Innovation submitted a report concerning the final 2013/14 Dedicated Schools Grant (DSG) outturn position following closure of the Local Authorities 2013/14 final accounts.

The report provides information on the final spend against the 2013/14 centrally retained budget including commentaries on those areas of the budget where forecast figures proved to be inaccurate. Although there is demand-led pressure in many areas of the retained budget the Local Authority is continuing to take action wherever possible to reduce centrally retained budgets in order to maximise the value of DSG that can be distributed to Schools and Academies via the local fair funding formula.

Resolved – That the Schools Forum notes that:

- (1) The final outturn on the 2013/14 centrally retained DSG budget was an underspend of £1.031m.
- (2) After taking account of the brought forward balance, in-year underspend and allocations of funding previously agreed by the Schools Forum the total DSG balance available for redistribution as at 31st March 2014 was £2.470m.
- (3) After taking account of agreed commitments the uncommitted balance is currently £1.413m.

4. Actual 2013-14 Year End School Balances

Steve Haley, Finance Manager, Education and Innovation submitted a report concerning (a) the monitoring of the level of school balances held by schools to provide assurance to the Local Authorities Chief Financial Officer, Director of Children Services and Cabinet Member for Children Services regarding the financial sustainability of individual schools and (b) advising this Forum of the final position on 31st March 2014 of the school revenue balances compared with the estimated position as forecast by schools in December 2013.

Resolved – That the Schools Forum notes that:

- (1) Just over half, 22 of 43 (51%) of schools final year end reported balances were close to the estimates provided in December as measured by the thresholds agreed by Schools Forum.
- (2) 11 of 43 (26%) of schools were reasonably accurate in forecasting their year end balances
- (3) Only 10 of 43 (23%) schools have reported significant variances between their final and December estimates of their projected year end balances
- (4) Final school balances (adjusted to exclude in-year Academy conversions) are forecast to be £5.5m which is 42% higher, than the December estimates of £3.9million.
- (5) Whilst 4 schools started the year in minor deficit positions no maintained schools were in deficit at the 31st March 2014.
- (6) The Local Authority will present further information on the planned use of

school balances to the October 2014 meeting of this Forum.

5. Schools Financial Value Standard return 2013-14

The Finance Manager, Education and Provision submitted a report updating the Forum of the position following the submission of the Schools Financial Value Standard (SFVS) self-assessments as required by the DfE for 2013/14.

Resolved – That this Forum notes that:

- (1) The Local Authority (LA)'s Chief Finance Officer has submitted the assurance statement to the DfE confirming that all relevant Swindon schools completed an SFVS review in accordance with the statutory deadline.
- (2) The LA is pleased to confirm that initial assessments are that the majority of schools have completed the returns to the levels required.
- (3) The LA will be reviewing each SFVS response over the next few weeks in detail and may contact individual schools to verify evidence to support their assessments. Key findings will be reported to the Schools Forum in October.

6. 2014-15 Dedicated Schools Grant General Updates

The Head of Finance, Education and Provision submitted a report providing the Forum with updates relating to 2014/15 including the inclusion of all Swindon Academy pupils in our DSG, the outcomes of the 2014/15 High Needs places return, the latest 2014/15 DSG settlement, proposals regarding the Redoaks Learning Difficulties SRP, the latest position regarding equal pay and a proposed change to the pupil growth policy.

Resolved – That the Schools Forum:

- (1) Notes the latest position regarding the implications of Swindon Academy pupils being included in our schools block DSG and funded from the local formula
- (2) Notes the latest position regarding the Councils 2014/15 High Needs Block DSG funding which is that £24.283m is available. and that of this sum £2.022m is being earmarked to cover the costs of the Councils new post 16 funding responsibilities
- (3) Notes that the latest estimate of Swindon's overall 2014/15 DSG settlement is £149.083m
- (4) Confirms support for the Redoaks LDD SRP to increase from 6 to 10 places in September 2014 and agree that set up costs of £29,300 are met from the DSG balance
- (5) Notes the recent equal pay settlements of which approximately £476,400 will need to be met from the 2014/15 centrally retained budget
- (6) Supports the principle of using some of the DSG balance to pay off the centrally retained liability subject to further detailed proposals
- (7) Supports a change to the pupil growth policy to provide up to £120,000 of pre-opening start-up funding where a new primary school is opening with a nursery and note that Tadpole Farm School will require considerable pupil growth funding from 2015/16 onwards.

7. Universal Infant Free School Meals

The Head of Commissioning, Economy and Attainment submitted a report updating the Forum on the allocation of capital funds to increase capacity for schools to meet

the new requirement to offer every reception, year 1 and year 2 child a free hot lunch

Resolved – That this Forum notes:

(1) that following the receipt of bids from schools the LA has fully allocated all the DfE capital grant allocated and that schools have been asked to contribute 5% towards their costs

(2) the estimates of additional funding arising from the UIFSM initiative and arrangements on how revenue funding will operate.

(3) the steps proposed to mitigate against schools losing Pupil Premium and other funding arising from the introduction of universal free meals for infant pupils

(4) that based on a DfE readiness questionnaire Swindon schools are on track to successfully implement the UIFSM entitlement

8. 2014-15 Two Year Old Early Education Places

The Head of Economy and Skills submitted a report updating the Forum on the plans to meet the DfE 2014/15 target of achieving participation in nursery education by the 40% most disadvantaged 2 year olds across the Borough by March 2015

Resolved – (1) That this Forum agrees the use of £9k to increase marketing in 2014-15, as defined in paragraphs 3.7 to 3.11 of the report in order to further promote additional places and raise participation towards the DfE 2014/15 target.

(2) agrees to spend up to £470k on capital projects as defined in Table 1 of the report by March 2015 in order to meet the DfE targets for provision for 2 year olds in 2014/15.

9. Post 16 post schools high needs funding proposals 2014-15

The Head of Finance, Education and Innovation submitted a report updating the Forum on the projected outturn position for the 2013/14 academic year relating to the LA's funding of education provision for post 16 (excluding school sixth forms) High Needs students. This became a new commissioning responsibility for Local Authorities which transferred from the Education Funding Agency (EFA) with effect from September 2013. The report also included information on the level of funding available and proposes indicative funding allocations to providers for the 2014/15 academic year.

Resolved – That this Forum:

- (1) Notes that the latest projected 2013/14 academic year costs arising from the LA's new funding responsibilities for post 16 High Need students are estimated at £2.902m which is £0.612m lower than the enhanced budget agreed by Schools Forum in July 2013
- (2) Notes the latest position regarding the 2014/15 academic year with regard to funding available and that
 - (a) The LA's latest estimate is that a total of 260.4 FTE post 16 (excluding school sixth form) high needs students will need to be supported financially
 - (b) The estimated costs of 47.4 FTE placements at ISPs is £1.088m
 - (c) 21 unplanned places will require element 2 funding of £0.126m to be paid to providers
 - (d) The LA is proposing to introduce banding based funding for FE colleges and training providers and agree the proposed band and supplement values – subject to uplift should the EFA agree any additional funding

- (e) The LA proposals regarding indicative allocations to FE colleges and training providers total £0.809m for an estimated 213 students of which 36 have yet to enrol.

10. 2015-16 DSG Prospects and School Funding Changes

The Head of Finance, Education and Innovation submitted a report providing the Forum with an update on DSG prospects for 2015/16 and potential changes to school funding which will need to be consulted on over the next few months in preparation for next year's budget setting process.

Resolved – That this Forum:

- (1) Notes the key issues arising from recent school funding reform announcements and that Swindon is expected to benefit from an increase to its Schools' Block DSG allocation in 2015/16 of approximately £2.9m (2.5%)
- (2) Agrees that the additional Schools Block DSG receivable in 2015/16 is allocated across factors in the local formula for mainstream schools.
- (3) Notes the options identified by the LA on how funding could be allocated and agree that the focus of the consultation process should be on proposals to increase BPPE and lump sum funding and potentially introduce a sparsity factor.
- (4) Notes the options identified by the LA on how funding could be allocated and agree the principles and timetable for the mainstream consultation programme.
- (5) Asks Primary Sector Schools' Forum representatives to give their views of the likelihood that maintained primary schools and primary academies would wish to support continued LA commissioning of the primary behaviour support service provided by the Nylands Campus Outreach Team.
- (6) Asks All Schools' Forum representatives to give their views of the likelihood that relevant schools and academies would wish to support continued LA commissioning of the:
 - Uplands Assistive Technology Service
 - Millbrook Specific Learning Difficulties Support Service
- (7) Agrees the proposed 2014 work plan for the High Needs Task Group in order that any required changes can be consulted on and agreed prior to 2015/16 budget setting for specialist settings
- (8) Notes that the DfE has announced a new Early Years Pupil Premium for disadvantaged 3 and 4 year olds valued at £50m nationally which will be allocated to LAs in 2015/16

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Section 5

Police and Fire Authorities Minutes

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WILTSHIRE POLICE AND CRIME PANEL

DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 11 JUNE 2014 AT WESSEX ROOM, CORN EXCHANGE, MARKET PLACE, DEVIZES SN10 1HS.

Present:

Cllr Abdul Amin, Cllr Glenis Ansell, Cllr Richard Britton (Chairman), Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Oliver Donachie (Vice Chairman), Chris Henwood, Cllr Charles Howard, Cllr Peter Hutton, Cllr Julian Johnson and Cllr Steve Wakefield

Also Present:

Carlton Brand (Corporate Director), Ian Gibbons (WC), Paul Kelly (WC), Kirsty Butcher (WC) Kieran Kilgallen (OPCC), Chris McMullin (OPCC) and Sarah Kyte (OPCC)

27 Election of Chairman

The Democratic Services Officer sought nominations for the position of Chairman of the Wiltshire Police and Crime Panel for the 2014/15 municipal year.

Resolved:

Councillor Richard Britton was elected Chairman of the Wiltshire Police and Crime Panel for the 2014/15 municipal year.

Councillor Britton in the Chair.

28 Election of Vice-Chairman

The Chairman sought nominations for the position of Vice-Chairman of the Wiltshire Police and Crime Panel for the 2014/15 municipal year.

Resolved:

Councillor Oliver Donachie was elected Vice-Chairman of the Wiltshire Police and Crime Panel for the 2014/15 municipal year.

29 Apologies for Absence and Changes to Membership

Apologies were received from Angus Macpherson, Police and Crime Commissioner, Amanda Newbery, Professor Johns (OPCC) and Cllr Andrew Bennett.

The Chairman welcomed new members from both Wiltshire Council and Swindon Borough Council following their appointments at their annual council meetings.

The Chairman detailed the recruitment procedure for the role of Independent Co-Opted Member and asked the Panel to endorse the appointment of Chris Henwood.

Resolved:

The Panel endorsed the appointment of Chris Henwood as an Independent Co-Opted member.

30 Minutes and matters arising

Resolved:

The minutes of the meeting held on 6 March 2014 were agreed as a correct record and signed by the Chairman.

31 Declarations of interest

There were no declarations of interest made.

32 Chairman's Announcements

The Panel were encouraged to hear that the Commissioner was out of intensive care and asked for their best wishes to be passed on.

The Chairman noted that the Dorset Police and Crime Panel held a pre-meeting to discuss their performance report. Panel members were asked to consider whether they felt this would be worthwhile.

33 Public Participation

There was no public participation.

34 PCC Diary report

The PCC Diary report which set out a summary of commitments the Commissioner had undertaken since the last Police and Crime Panel meeting on 6 March 2014 was presented to the Panel.

The Panel raised concern over the continuation of services to Wiltshire given the regional collaboration around more serious and complex crime and asked for a report detailing the extent of the collaboration to be brought to the Panel.

The OPCC's Chief Executive noted that the Air Ambulance funding was being diverted into the National Police Air Service from January 2015. The Wiltshire Air Ambulance Trust was happy they could fund their service and were entering into a licence agreement with the police to occupy the site at Devizes from 31 December 2014. The Commissioner had asked for a report detailing what the National Police Air Service was providing and how that compared with existing arrangements, including the impact on flying times. This report would be shared with the Panel.

A 'stop and search' results paper would be brought to a future meeting of the Panel.

The murals produced by students and displayed under the bridge at Biss Meadows in Trowbridge had engaged youngsters in looking after the community, working constructively and engaging with PCSO's.

The Commissioner had signed off on the purchase of Neighbourhood Alert, which was part funded by the Home Office and the Ministry of Justice. It was a community alert system focused on Neighbourhood Watch with the potential to include other watch schemes. The Panel noted ambiguity around the preferred solution and the OPCC's Chief Executive agreed that the OPCC would circulate a general update with a clear message which identified the pilot areas. One member of staff was already in place and another would be in post by October 2014.

A report providing a summary on the PCC's Innovation Fund would be brought both to the Panel and also to Area Board and Locality meetings.

The Panel welcomed the Commissioner's focus on mental health, and his support for the Neighbourhood Justice Panels.

The Panel asked for clear understanding on the significance of the break-up of the probation service with reference to the Commissioner's Police and Crime Plan. A briefing note on transporting rehabilitation would be circulated to members. Community rehabilitation companies would be up and running by 1 April 2015.

All OPCC freedom of information requests were published on the OPCC website with responses. The Winsor report, Her Majesty's Chief Inspector of Constabulary end of year report on policing was to be circulated to Panel members.

The OPCC's Chief Executive noted that there were still issues to be resolved with Her Majesty's Chief Inspectors new Police Efficiency, Effectiveness and Legitimacy (PEEL) process and his methodology would be published.

Resolved:

The Panel noted the PCC's diary report.

35 OPCC Annual report (including Quarter 4 data)

The OPCC annual report was presented to the Panel by their Chief Executive. He noted that the end of year grading was fair, against a backdrop of a 25% reduction in the cost of service.

He drew attention to the culture change within the force, the integration with Wiltshire Council and noted they were at the beginning of a process of integration with Swindon Borough Council. The force was debt free, with a balance to fund much needed IT improvements. The force was sixth nationally for lowest crime per head of population.

He explained the increase in serious sexual offences was linked both to increased reporting and the work of the Crime Validation Team in ensuring crimes were recorded accurately. The total number of incidences had probably not increased.

It was confirmed that no crimes had been recorded twice. Volunteering numbers were a red measure and the Panel was reminded that the plan was over a four year period. An issue had been highlighted with how special constables could record their hours on the system which was being addressed, but the system did not properly reflect the numbers of hours worked.

The public opinion survey commissioned by the OPCC was subject to review and tender, and had moved from face-to face interviews to a telephone survey, with a much larger sample. The victim satisfaction survey was completed separately by an external regional provider.

He noted that the Commissioner would be bringing before the Panel a series of addenda to his Police and Crime Plan.

The Panel noted that the resolution rate was an area for improvement, and it was noted that a large proportion of out-of-court disposals should have been reflected in the figures but were not. A separate panel, drawn from various aspects of the community, had been established to provide a scrutiny role on local resolutions. A superintendent was in post and training on national guidelines was being rolled out across the force.

The Panel queried whether the police were clear on which resolution path is preferred and gave their support for out of court resolution.

The OPCC's Chief Executive confirmed the commitment to licensed premises checks.

The Panel highlighted the prosecutions that fail due to quality of police input, and it was confirmed that although a highly operational area the Commissioner was heavily engaged.

Resolved:

The Panel noted the report.

36 Quick View Performance (QVP)

A presentation on managing performance was given by Mr McMullin.

He explained that performance monitoring process mainly consisted of reviewing two products – Quick View Performance (QVP) and iQuanta.

QVP was an internal document which allowed different levels within the force to extract their requirements for performance monitoring. It was also used by the Commissioner to scrutinise the performance of the force.

iQuanta was a web based service that allowed accredited users to access provisional data for information on crime types, outcomes and satisfaction, before finalised National Statistics were published.

Examples were given on serious sexual offences and out of court disposals and it was noted that the level of detail routinely considered made it difficult to separate strategic information from operational information. Reference was made to the long term cultural changes within the force regarding performance management. The Commissioner had a separate risk register to the force.

The need to measure the right things in the right way was highlighted and the focus nationally was to get the integrity of reporting right.

The Panel thanked Mr McMullin for his presentation.

Resolved:

The Panel noted the presentation.

37 Police Complaints procedure

The police complaints procedure was presented to the Panel by the OPCC's Chief Executive, who explained a complaint was recorded if it regarded the conduct of an officer.

A complaint was registered on the Professional Standards Department database within two days and recorded within ten days. Panel members unease over the timescales involved was noted.

Reference was made to Northumbria who had merged the function under their OPCC, and the OPCC had arranged to visit there. The Panel requested feedback from the visit and information on their procedure which, by seemingly ignoring the Home Office / IPCC guidance achieved a faster resolution of complaints.

Resolved:

The Panel noted the procedure presented.

38 Complaints against the Commissioner

The Complaint and Conduct matters report for the period 1 November 2013 to 30 April 2014 was presented to the Panel.

Resolved:

The Panel noted the report.

39 Final Report of the Volunteers and Special Constables Task Group

The final report of the Volunteers and Special Constables Task Group was presented to the Panel.

The OPCC's Chief Executive confirmed that the Commissioner would respond at the Panel's meeting scheduled for 4 September 2014.

The role of the volunteer co-ordinator was key and it was confirmed that this would be filled imminently.

Resolved:

The Panel noted the report.

40 Task Group update

The task group update was presented to the panel.

Due to changes in the Panel's membership following the appointment to committee's at each constituent council's annual meeting, it was agreed that paragraph 3 of the report be amended to read:

3. Several members expressed an interest in taking part. It has subsequently been agreed that Amanda Newbery, Independent Member of the Panel,

will not take part as a member due to the potential for her status as a licensee being perceived as a conflict of interest. She will therefore play a role as a witness. The task group membership is proposed as follows:

Cllr Richard Britton (elected as chairman by the task group)
Cllr Chris Caswill
Cllr Linda Packard
Chris Henwood

Resolved:

The Panel

- 1. Noted the update provided;**
- 2. Approved the membership of the Licensing Task Group as follows:**

**Richard Britton
Chris Caswill
Linda Packard
Chris Henwood**

- 3. Approved the terms of reference of the Licensing Task Group as set out in the report.**

41 Forward Work Plan

The forward work plan was presented to the Panel.

Panel members were asked to consider if the Performance reporting and Risk Register working group should be reconvened to completed a task / finish exercise on the performance report in light of changes to ambitions, and to consider setting up a scrutiny review to look at procurement and how the Commissioner was making sure the regional procurement project was working for Wiltshire. Responses were to be sent to the Chairman.

Resolved:

The Panel noted the forward work plan.

42 Future meeting dates

The next meeting of the Police and Crime Panel will be on 4 September 2014 at the Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU.

Future meeting dates were:

19 November 2014

(Duration of meeting: 2.00 - 4.30 pm)

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

Press enquiries to Communications, direct line (01225) 713114/713115