

SCRUTINY COMMITTEE

MONDAY, 17 DECEMBER 2012

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

Councillors Roderick Bluh, Leader of the Council and Chair of Cabinet, David Renard, Deputy Leader of the Council and Cabinet Member for Children's Services, Mark Edwards, Cabinet Member for Finance, Fionuala Foley, Cabinet Member for Streetsmart and Corporate Services, Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, Garry Perkins, Cabinet Member for Regeneration and Culture, Vera Tomlinson, Cabinet Member for a Safer and Stronger Borough, Keith Williams, Cabinet Member for Leisure and Strategic Transport and Mike Bawden were also in attendance.

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

43. Declarations of Interest

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

44. Public Question Time

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

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

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

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

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

45. Minutes

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

46. Consideration of Cabinet Decisions

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

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

Resolved – That Minute 66 of the Cabinet be noted.

67. Capital Programme Monitoring 2nd Quarter 2012/13

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

Resolved – That Minute 67 of the Cabinet be noted.

68. Council Tax Discounts and Exemptions

Resolved – That Minute 68 of the Cabinet be noted.

69. Council Tax Support Scheme

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

Resolved – That Minute 69 of the Cabinet be noted.

70. Additional School Places – Town Centre and North Swindon

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

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

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

Resolved – That Minute 70 of the Cabinet be noted.

71. *Economic Strategy for Swindon Consultation and Adoption*

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

Resolved – That Minute 71 of the Cabinet be noted.

72. *Reduced Car Parking Tariff for Businesses*

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

Resolved – That Minute 72 of the Cabinet be noted.

73. *Towards a Local Bus Strategy*

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

Resolved – That Minute 73 of the Cabinet be noted

74. *Swindon Heritage Strategy*

Resolved – That Minute 74 of the Cabinet be noted.

75. *Mechanics Advisory Group*

Resolved – That Minute 75 of the Cabinet be noted.

76. *Higher Education in Swindon*

Resolved – That Minute 76 of the Cabinet be noted.

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

Resolved – That Minute 77 of the Cabinet be noted.

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

Resolved – That Minute 78 of the Cabinet be noted.

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

Resolved – That Minute 79 of the Cabinet be noted.

80. *Houses in Multiple Occupation*

Resolved – That Minute 80 of the Cabinet be noted.

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

Resolved – That Minute 81 of the Cabinet be noted

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

Resolved – That Minute 82 of the Cabinet be noted.

83. Middle Wichelstowe and District Centre

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

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

84. Swindon's Waste Management Strategy - Update

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

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

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

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

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

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

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

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

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

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

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

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

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

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