

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Response - Question withdrawn by Mr Cockbill following his receipt of information from the Council's Strategic Planning Manager (Commissioning Economy and Attainment)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

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Person presiding at meeting at which minutes signed