

Future Direction – Transfer of Services to Parish Councils

Cabinet

Date: 16th June 2016

Author: Leader of the Council, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, Cabinet Member for Streetsmart. Cabinet Member for Communities, Board Director Resources, and Director of Law and Democratic Services

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 This report updates on progress made with the transfer of services to existing parish councils, updates on the first stage of the community governance review that is in progress within the Borough and sets out the future direction of travel of the Council's Going Local agenda.

2. Recommendations

Cabinet is recommended to note:

- 2.1 The context and forecast direction of travel for services provided in local communities if no action is taken;
- 2.2 The findings of the Overview and Scrutiny Committee that examined the success of service transfers to existing parish councils;
- 2.3 The outcome of the first stage of the Community Governance Review;

Cabinet is requested to agree:

- 2.4 That it wishes to enable community empowerment at a local level to promote community cohesion and allow the devolution of power and responsibility to communities within the Borough by considering potentially parishing the whole Borough and altering some existing parish boundaries and will, to that end;
- 2.4.1 engage with local communities in June and July to address issues raised in the first stage of the Community Governance Review;
- 2.4.2 authorise the Director of Law and Democratic Services, in consultation with the Leader of the Council and the Cabinet Member for Communities, to prepare illustrative maps for use during the engagement process;
- 2.4.3 agree the revised review timetable set out in the report;
- 2.4.4 request the Cabinet Member for Communities to work with fellow councillors, residents, business representatives and parish councillors and

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the Borough Council to develop a community infrastructure able to sustain important local services.

- 2.5 That officers should engage the business community over creating a sustainable service model in commercial areas of the Borough;
- 2.6 That local services will not be funded by the Borough Council in future and that it wishes to work with parish councils, businesses and communities to develop alternative service solutions including:-
 - 2.6.1 Street cleaning, low-level graffiti, fly tipping and fly posting removal outside of the major highway network;
 - 2.6.2 Cosmetic grounds maintenance work that is not covered by fee income and does not create a health and safety risk around road network visibility;
 - 2.6.3 Litter and dog waste bin emptying, with bins being removed where on-going alternative services cannot be put in place;
 - 2.6.4 Play and games area inspection and maintenance, with resulting equipment removal where on-going alternative services cannot be put in place; and
 - 2.6.5 Other services provided by the Borough Council.
- 2.7 That it is committed to enabling a smooth transition to the new delivery model and that operational and tapering financial support will continue to be made available funded from the savings enabled by the joint working arrangements during the early years of operation, and to provide appropriate training where requested;
- 2.8 That Cabinet be asked to agree in due course the recommendation for consultation during Stage 3 of the Community Governance review; and
- 2.9 That specific engagement work will be undertaken to help residents understand the wider context, proposed changes and the future impact on Council Tax bills.

3. Detail

Community Governance Review

- 3.1 Following the success of the transfer of services to parish councils and in response to some requests from existing parish to reconsider their boundaries, a community governance review commenced in January 2016
- 3.2 The first stage of consultation on the community governance review of the whole of Swindon Borough Council commenced at the beginning of January and concluded on 31 March 2016.

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- 3.3 As part of the consultation process, one day 'open-house' events and meetings were held between 22nd February and 23rd March 2016 at

Freshbrook Community Centre,
Highworth Community Centre,
Coleview Community Centre Stratton,
St Marys Hall Old Town,
Liden Community Centre,
Lawn Community Centre
Lethbridge School,
St Peters Church Hall Penhill,
St Andrews Church Hall Walcott,
Pinetrees Community Centre Pinehurst,
Central Community Town Centre,
StoweAway Community Centre East Wichel,
Haydon Wick Parish Council Offices,
Broadgreen Community Centre, and
Wroughton Junior School

- 3.4 A total of over 700 residents attended 32 drop-in sessions across the Borough, which were supported by ward members and officers. In addition to paper submission forms, the Council provided a dedicated CGR email address and an on-line facility to make submissions during the consultation period. As a result of this, 258 submissions (including two petitions) were recorded from both residents and interested groups/organisations. A copy of the submissions, with personal information duly redacted, is available on the Council's website and in the Members Room.
- 3.5 Whilst a high proportion of responses received expressed opposition to the parishing of un-parished areas, for various reasons including: "opposition to parishing of un-parished areas"; "objection to addition tier of local government"; "opposed to having to pay an additional rate of council tax"; "call for referendum to be held"; "lack of detail on any proposals"; there were a number of submissions supporting parishing of non-parished areas, along with proposals for changes of some existing parish boundaries. In addition, one of the petitions has requested that the borough council ward of St Andrews, currently part of Blunsdon St Andrew's Parish west of the A419, be formed into a separate St Andrew's Parish.
- 3.6 At engagement events during Stage One, the Council also received feedback that residents wanted to help shape any future proposals, particularly in relation to potential parish boundaries. As a result, it is proposed that Cabinet agrees a clear direction of travel for this work and the Council then engages residents as part of developing a formal proposal to be consulted on and ultimately considered by Council in November 2016.

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- 3.7 If Members wish further engagement sessions with residents to be held during June and part of July in order to address the issues raised in the Stage 1 consultation, this will affect the previously agreed timetable which will need to be reviewed in order to complete the Community Governance Review within the required 12 months. Accordingly, it is recommended that the Review timetable set out in paragraph 3.20 of this report be agreed.

Financial Context

- 3.8 By 2020, financial forecasts suggest that 80% of the Council's Budget will be spent on services supporting vulnerable people. This compares to 48% in 2007-08. Alongside this, the overall level of funding available to support the Council's net Budget is reducing as the government pulls back its support through the revenue support grant. Within this context, new revenue streams need to be established to fund important local services such as street cleaning, grounds maintenance and potentially supplementary library services over and above the Council's core-funded service.

Transfers to Existing Parishes

- 3.9 Following initial requests from a number of parish councils within the Borough, a programme of work has been running during the last two years to transfer grounds and street cleaning services to existing parish councils. This has been very successful with residents appreciating the ability of parish councils to prioritise targeted resources on local issues resulting in noticeable improvements to the appearance of communities.
- 3.10 At its meeting on 16th September 2015, the Streetsmart and Highways Overview and Scrutiny Committee agreed to set up a task group to review the devolution of Streetsmart services to town and parish councils. The task groups considered a wide range of evidence and interviewed members and chairs from parish councils which had taken over services and the feedback was very positive. A copy of the report from the task group is set out in **Appendix One**.
- 3.11 Following the success of the initial pilots, most parish councils have now either agreed to consider or have already taken over grounds and street cleaning services in their areas. A table setting out the status of each transfer is set out in **Appendix Two**.

Streetsmart Services

- 3.12 Based on customer feedback, previous consultation and resident surveys, the Council knows that residents value services affecting the appearance of their local communities such as grounds and street cleaning services.
- 3.13 As previously stated, a significant proportion of these services are now being provided by existing parish councils and residents in those areas are pleased with the standards and the ability for services to be prioritised to meet local

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needs. This gives confidence that the model can work well in other areas of the Borough.

- 3.14 Within this context and recognising the financial constraints of the Council, Cabinet is asked to confirm as part of its emerging direction of travel to be communicated to residents, that some local services will not be funded by the Borough Council in future and that it wishes to work with parish councils and communities to develop alternative service solutions including:-
- Street cleaning, low-level graffiti, fly tipping and fly posting removal outside of the major highway network;
 - Cosmetic grounds maintenance work that is not covered by fee income and does not create a health and safety risk around road network visibility;
 - Litter and dog waste bin emptying, with bins being removed where on-going alternative services cannot be put in place;
 - Play and games area inspection and maintenance, with resulting equipment removal where on-going alternative services cannot be put in place; and
 - Local library provision over and above Borough Council core-funded service.

Sustainable Service Delivery Model

- 3.15 Taking into consideration the value residents have continually placed on locally-provided services such as grounds maintenance and street cleaning, the financial forecasts that funding is unlikely to be available for these services in future and the success of the delivery model in place in many existing parish councils within the Borough, Members are recommended to agree that the Council engages with residents over a proposal to potentially parish the whole Borough. This would enable community empowerment at a local level to promote community cohesion and allow the devolution of these important services to another democratically-elected organisation to represent the best interested of residents.
- 3.16 The benefits of a wholly-parished Borough with parish councils taking responsibility to work alongside communities to deliver local services are that the model;
- Enables local influence and prioritisation to meet the specific needs of individual communities;
 - Protects and offers opportunity to enhance important services that will otherwise significantly diminish in non-parished areas;

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- Create a locally driven and collective drive to improve the appearance of the Borough recognising evidence that people take more pride in their own local communities;
- Enables ring-fenced funding to be raised to pay for local services without the risk of erosion from grant reductions and pressures from competing services;
- Is already working well in existing parishes with demonstrable evidence of improved service standards through extra investment; and
- Provides a platform to building wider local community resilience.

3.17 Accordingly, it is proposed that engagement with communities take place during June and July to discuss and address issues raised in the first stage of the Community Governance Review, in the context of ensuring that community governance is effective and convenient, and reflective of the identities and interests of the local communities in the Borough.

3.18 It is proposed that illustrative maps be produced to facilitate a discussion of potential parish boundaries during the engagement process with a view to formulating a firm proposal by the end of July 2016. Members are asked to authorise the Director of Law and Democratic Services, in consultation with the Leader of the Council and the Cabinet Member for Communities, to prepare illustrative maps for use during the engagement process.

3.19 Cabinet will then agree draft recommendations in early August, and a formal consultation will then be undertaken and submissions received will then be taken into consideration in formulating the final recommendation to be presented to Council in November 2016.

3.20 Recognising the additional engagement period to be built into the timetable, members are asked to approve the revised version of the Community Governance Review timetable as set out below:

Table One – Revised Community Governance Timetable

Action	Original	Revised	Outline of action
Stage 1	5 th December 2015 to 30 th March 2016	5 th December to 30 th March 2016	Initial Submissions invited
Stage 2	31 st March to 30 th June 2016	31 st March to 29 th July 2016	Prepare draft recommendations, including public engagement from 22 nd June to 20 th July involving maps and setting out illustrative

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			outline parish boundaries
Stage 3	4 th Jul to 16 th September 2016	9 th Aug to 30 th September 2016	Draft recommendations published and comments sought
Stage 4	19 th September to November 2016	3 rd October to November 2016	Consider final submissions and prepare recommendations
Final recommendations	November/December 2016	November/December 2016	Publish final recommendations
Implementation order	January 2017	January 2017	Council to make order

Shadow Parish Council

- 3.21 If the Council agrees to create new parishes at its meeting in November 2016, a shadow parish council will be formed for each new parished area. This will be made up from the ward members for each area together with any community representatives that the Council may feel appropriate to appoint.
- 3.22 The shadow parish councils will be responsible for setting the budget for the parish councils, resulting precept and Band D Council Tax charge and putting in place arrangements for services to be provided from 1st April 2017, including the appointment of staff and letting of contracts.
- 3.23 The new parish councils will be created with effect from 1st April 2017 with funding being raised as part of the Council Tax levels agreed by Council in February 2017.
- 3.24 As part of the community governance review, Council will need to consider the number of parish councillors required for each area based on the size of the electorate for each parish. In addition, a decision will need to be made on the date for the elections to elect any new parish councils, and the cycle and date of future elections for existing and any new parish councils.
- 3.25 The Order will also deal with such matters as any transfers of assets or liabilities.

Commercial Areas of the Borough

- 3.26 Some areas of the Borough are heavily commercialised such as the town centre shopping area where additional street cleaning services are provided above the normal service standards in other areas of the Borough.

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- 3.27 Feedback received during phase one of the Community Governance Review raised concerns that residents in parishes containing significant additional services linked to commercial outlets used by residents beyond the parish boundary should not be expected to solely pay for these services.
- 3.28 In response to this feedback, it is recommended that engagement takes place with businesses to discuss their potential contribution to services provided as a result of commercial activities in the commercial town centre and wider outlets.

Transitional Arrangements

- 3.29 The Council is committed to supporting parish councils, businesses and communities to transition from the current service model to the sustainable one of the future that is not reliant on Borough Council funding. In order to enable this support, Members are asked to agree that both professional operational and business support be made available to smooth the transition and access to reserve funding to help transition the costs from the Borough Council to other forms of support. Further details over recommended funding levels will be brought back to Cabinet in due course.

Engagement

- 3.30 It is clear from Stage 1 of the Community Governance Review that most residents are not aware of the financial context the Council is operating within and the direction of travel of the organisation. Therefore, in addition to wishing to ensure that community governance is effective and convenient, and reflective of the identities and interests of the local communities in the Borough, it is proposed that the additional engagement period in June and July is utilised to help residents understand in more detail the journey the organisation is on and the potential resulting impact on their communities.

4. Alternative Options

- 4.1 The Cabinet could continue with the existing service delivery model accepting that funding for these important services will continue to diminish with standards reducing and some services stopping which will directly affect the appearance of the Borough and its attractiveness to residents and businesses.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The Council currently spends around £4m on grounds and cleansing services with many costs being concentrated in West Swindon and the central areas of the Borough which enjoys a higher level of street cleaning and focused grounds work in sites such as the Town Gardens.

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- 5.2 By transferring the cost of services to parish councils, it is expected that the annual council tax bills of residents will increase by around £75 on average, based on current service costs, which could be phased in over a number of years. In 2017-18, residents in the non-parished area of the Borough would receive a saving on the Borough Council element of the Council Tax bill for special expenses if the whole Borough was parished which could partially offset any new charge levied by a new parish council in the first year. Residents in parished areas of the Borough received an average £10 reduction in the Swindon Borough Council element of the Council Tax bill for these types of services in 2016-17 as they were paying for them via their local parish council.
- 5.3 It is likely that households located in current unparished areas will receive a larger increase in their Council Tax during the transitional period than those in already parished areas where the majority are already paying a higher charge. Existing parish council Band D Council Tax charges range from £18 to £132 per annum, with an average of £70, compared with £47 in the non-parished area.
- 5.4 If the cost of these and other services was transferred from the Borough Council to parishes, around £5m of funding could be redirected within the Borough Council's budget to either offset known funding reductions or contribute towards rising costs for other services, especially in Adult Social Care. The cost of this £5m plus new infrastructure costs spread across all households via new and increases to existing parish charges equates to around £75 increase per household (£5.25m divided by 70,000 Band D households).
- 5.5 If new funding could not be sourced from parish councils, the savings would need to be found by reducing service levels in these or other services.

Legal and Human Rights Implications

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

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

- 5.7 There are no such direct implications.

Diversity Impact Assessment

- 5.8 A Diversity Impact Assessment (DIA) has been produced for the proposal to create new parish councils and transfer Borough Council services to them to be funded by raising parish precepts. This identified that there was no adverse impact for people with identified protected characteristics, although some people with income just above the Council Tax Benefit threshold may experience some adverse impact. A copy is available from the report author.

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6. Consultees

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

7. Background Papers

- 7.1 The Community Governance Review file

8. Appendices

- 8.1 Appendix One: Findings of the Overview and Scrutiny Committee – Transfer of services to existing parish councils
- 8.2 Appendix Two: Status of service transfers to existing parish councils

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

- 9.1 This is a key decision for the Cabinet at this meeting. It is included in the Cabinet Work Programme and Forward Plan for June 2016.