

SCRUTINY

MONDAY, 12 FEBRUARY 2018

PRESENT:- Councillors Robert Wright (Chair), Ray Ballman, Mark Dempsey, Claire Ellis, Dale Heenan, Emma Faramarzi (Vice-Chair), Des Moffatt, James Robbins, Gary Sumner, Timothy Swinyard, Vera Tomlinson, Chris Watts and Steve Weisinger.

Also in attendance were: Councillor David Renard (Leader of the Council), Councillor Fionuala Foley (Cabinet Member for Children's Services and School Attainment), Councillor Toby Elliott (Cabinet Member for Strategic Planning and Sustainability) and Councillor Oliver Donachie (Cabinet Member for the Economy and Skills).

An apology for absence was received from Councillor Kevin Parry.

58. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. The following declarations were made:

- Councillor Bob Wright made a personal, non-prejudicial declaration of interest in respect of agenda item 5 (Consideration of Cabinet Decisions – Minute 75. Housing Revenue Account (HRA) – Rents and Charges 2018/19) as he has family members who run building companies.
- Councillor Dale Heenan made a personal, non-prejudicial declaration of interest in respect of agenda item 5 (Consideration of Cabinet Decisions – Minute 78. Air Quality Management Area Declaration) as his company produces air quality sensors.

59. Public Question Time

Mr Roy Worman, Haydon Wick resident, asked questions regarding the Council's Superfast Broadband Extension Programme, specifically:

- a) The progress on the erection of all the masts proposed within the project.
- b) The planning approval for the mast site on Cassini Drive.
- c) The Council's commitment to providing the infrastructure required to support superfast broadband in the future.

Councillor Toby Elliott, Cabinet Member for Strategic Planning and Sustainability, responded to Mr Worman's questions at the meeting.

60. Minutes

Resolved – That the minutes of the meeting held on 8th January 2018 be confirmed and signed as a correct record.

61. Consideration of Cabinet Decisions

72. Budget 2018/19 and Beyond

Councillor David Renard, Leader of the Council, Councillor Fionuala Foley, Cabinet Member for Children's Services and School Attainment and Councillor Toby Elliott, Cabinet Member for Strategic Planning and Sustainability, responded to questions put by Councillors Mark Dempsey, Des Moffatt, Jim Robbins and the Chair on the following matters:

- The use in the report of the terms 'reshaping' and 'redesign' and what these mean in a practical sense in terms of changes to council processes or outcomes on service delivery.
- The future access that residents will have to council services following the implementation of the various service revisions proposed in the report.
- The estimated £5.5m increase in Council Tax income between 2018/19 and 2019/20 and the number of additional properties needed to fund this increase.
- Core library services, as well as satellite library services, being placed in to a Trust Model, and engagement with the Charity Commission regarding the service transfer.
- The expected efficiency savings from the digital redesign of service delivery in Street Cleaning.
- The digitisation programme implemented by Northamptonshire County Council and lessons learned from that programme that might be used to inform the Council's own digitisation objectives.
- The funding being allocated to the White Horse Federation and the condition of the building at St Luke's School and the repair / maintenance works required on it.

Resolved – That Minute 72 of the Cabinet be noted.

73. Capital Programme 2018-19

Councillor David Renard, Leader of the Council, Councillor Fionuala Foley, Cabinet Member for Children's Services and School Attainment, and Councillor Toby Elliott, Cabinet Member for Strategic Planning and Sustainability, responded to questions put by Councillors Dale Heenan, Emma Faramarzi, Chris Watts, Des Moffatt, Mark Dempsey and the Chair on the following matters:

- Questions put by Councillor Dale Heenan at the Cabinet meeting in December, relating to capital investment in the A419 sound barrier being removed from the programme that remained to be answered.
- The difficulties some members had encountered in obtaining responses within specified deadlines to issues raised through the Members Hotline.
- The borrowing cap for housing accounts.
- The additional need for school places in Swindon, and associated costs to the Council if the free schools programme remains frozen.
- The borrowing terms for funding to replace the Council's telephone platform, and the possibility that the term of the loan might exceed the lifetime of the technology.

Resolved – That Minute 73 of the Cabinet be noted.

74. Treasury Strategy Statement 2018/19

Councillor David Renard, Leader of the Council, and Councillor Oliver Donachie, Cabinet Member for the Economy and Skills, responded to questions put by Councillors Mark Dempsey, Des Moffatt, Chris Watts, Dale Heenan and the Chair on the following matters:

- The importance of portfolio diversification to mitigate risk, and the need to reduce reliance in the future on portfolios that depend on housing to provide an income stream.
- The Council's total current debt figures, and its current debt repayment position.
- The effect of debt repayment on revenue figures.
- The case for increasing borrowing now in anticipation of a future increase in interest rates.
- The underwriting of the Council's loan arrangements, and benchmarking the Council's borrowing against that of comparator authorities.

Resolved – That Minute 74 of the Cabinet be noted.

75. Housing Revenue Account (HRA) – Rents and Charges 2018/19

Councillor Cathy Martyn, Cabinet Member for Housing and Public Safety, and Councillor Oliver Donachie, Cabinet Member for the Economy and Skills, responded to questions put by Councillors Des Moffatt, Chris Watts and the Chair on the following matters:

- The issues that had been experienced with the contractor appointed to undertake the works required on properties in-between tenancies.
- The potential for void allowance work to be brought back in-house, and the challenges posed by the lack of labour in this market within Swindon.
- The potential benefits of the Council working directly with the smaller providers, removing the need for an umbrella organisation, and the associated decrease in costs that might be realised.

Resolved – That Minute 75 of the Cabinet be noted.

76. Pay Policy Statement 2018 / 2019

Councillor David Renard, Leader of the Council, and Councillor Oliver Donachie, Cabinet Member for the Economy and Skills, responded to questions put by Councillors Mark Dempsey, Des Moffatt, Chris Watts and the Chair on the following matters:

- The number of Council employees currently receiving less than the 'real' living wage, as set out by the Living Wage Foundation, and the comparative number in 2016/17.
- The potential cost to the Council of introducing a minimum remuneration equivalent to the 'real' living wage.
- The number of Council employees on retained contracts or zero hour contracts, and that have been on these contracts for more than six months.
- The numbers of employees who are on either retained contracts or zero hour contracts are on either variable wages or the minimum wage.

Resolved – That Minute 76 of the Cabinet be noted.

77. Creation of a Swindon Music Trust

Councillor Fionuala Foley, Cabinet Member for Children's Services and School Attainment, and Councillor Oliver Donachie, Cabinet Member for the Economy and Skills, responded to questions put by the Chair on the following matters:

- The proposed length of the Music Trust's lease of The Platform.
- How the proposals for The Platform could be tied in to heritage development, and the exploration of other connections such as with the Mechanics Institute.

Resolved – (1) That Minute 77 of the Cabinet be noted.

(2) That the Swindon Music Trust be advised of this Committee's wishes for the future success of the service.

78. Air Quality Management Area Declaration

Councillor Cathy Martyn, Cabinet Member for Housing and Public Safety, responded to questions put by Councillors Dale Heenan, Ray Ballman, Jim Robbins, Chris Watts and the Chair on the following matters:

- The breach of the annual average air quality objective at Kingshill Road.
- The lack of information in the report on future dates for action and budget figures.
- The traffic volume on Gypsy Lane and Rodbourne Road and whether the air quality is also poor in these areas.
- The effect of the change in traffic flows on Kingshill since monitoring commenced.
- The possibility of assessing the accumulative effect of poor air quality on the health of residents living in the Kingshill area, perhaps by identifying issues such as an increase in respiratory problems.
- The closure of Kingshill last year to facilitate drainage repairs and whether a reduction in air pollution was evident as a result of that closure.

Resolved – That Minute 78 of the Cabinet be noted.

79. Swindon Borough Playing Pitch Strategy

Councillor Toby Elliott, Cabinet Member for Strategic Planning and Sustainability, responded to questions put by Councillors Des Moffatt and the Chair on the following matters:

- The costs involved with developing this Strategy.
- The transfer for responsibility of playing pitches to Parish and Town Councils.
- The involvement of Ward Councillors in negotiations with developers on housing estate proposals within their areas.
- The criteria for the inclusion of playing field provision as part of new developments.
- The need to consider Communities' need for green spaces within new developments alongside the needs of the sporting community.

Resolved – That Minute 79 of the Cabinet be noted.

80. Special Educational Needs and Disability (SEND) Capital Investment Strategy

Resolved – That Minute 80 of the Cabinet be noted.

81. Superfast Broadband Extension Programme

Councillor David Renard, Leader of the Council, Councillor Toby Elliott, Cabinet Member for Strategic Planning and Sustainability, and Councillor Oliver Donachie, Cabinet Member for the Economy and Skills, responded to questions and comments put by Councillors Emma Faramarzi, Chris Watts, Mark Dempsey, Dale Heenan, Des Moffatt, Gary Sumner and the Chair on the following matters:

- The work done by campaigners to get the fibre network expanded into North Swindon since 2013, along with the opposition in that area to having UKBN masts erected, and the concerns that further masts might be proposed beyond the proposed site in Cassini Drive.
- Concerns that Planning Inspectors were being required to make decisions on planning appeals without having detailed subject knowledge of the area and its history.
- The percentage of the market share required by UKBN to make the project viable, and the conditions of the requirement in the contract to provide broadband over 25mbps to over 19,500 homes.
- The technology of this project and the likelihood that it will be superseded by advanced fibre technology.
- The lack of information in the report on the breakdown of customer numbers, and why a “base station” is needed in North Swindon.
- The time length of the clauses set out within the contract, and the period of time within which full take up must be met as per the conditions.
- The work being done to address the Council Motion adopted on 13th July 2017 (Council Minute 21, 2017/2018 refers) regarding ultrafast broadband.
- Members’ concern that there was insufficient information in the report regarding the level of usage to support the Cabinet decision and facilitate proper scrutiny of the decision. Particular reference was made to the lack of heatmap analysis of user take up.
- How reverting to the 26 base station design would mean reverting to an earlier cost model, therefore losing the opportunity for the Council’s contribution to the project to reduce to £865k.
- How this system is working well in both rural and urban areas, and is a comprehensive filler where the private companies such as BT and Virgin are unwilling to expand.

Resolved – That the Committee is of a view that due process has not been carried out in reaching this decision because Cabinet has failed to properly consider the usage levels necessary to make the project viable. The Committee therefore determined that the decision be referred back to Cabinet for further consideration.

62. Cabinet Member Question and Answer Session - Cabinet Member for Housing and Public Safety

Councillor Cathy Martyn, Cabinet Member for Housing and Public Safety, was in attendance and presented to the Committee a report summarising progress and performance in respect of each of the following service areas within her portfolio of responsibility:

- Allocations and Advice Services
- Empty Homes
- Estate and Tenancy Management
- Housing Enabling and Strategic Services
- Homeline Services
- Homelessness
- Housing Right to Buy/Sales Services
- Neighbourhood Wardens
- Private Sector Housing Renovation Grants
- Repair and Improvements to Council Housing Stock
- Sheltered Accommodation
- Environmental and Public Protection Services Gypsies, Travellers and Unauthorised Encampments
- Reducing Drugs, Alcohol and Substance Abuse
- Control Room Operations
- Principal Member for consultation on Public Space Protection Orders
- Envirocrime
- Licensing, including taxis, etc.
- Community Safety Partnership including young offenders and reducing anti-social behaviour
- Reducing Domestic Violence and Abuse
- Lead Member for PSPOs

In overseeing these areas, the Cabinet Member for Housing and Public Safety is responsible for delivering the following Priorities:

- Priority one: Improve infrastructure and housing to support a growing, low-carbon economy.
- Pledge 7 - Build new affordable homes including 200 new council homes and 66 units through the Affordable Housing Development programme at sites including the Hawthorns, the Royal British Legion site in Penhill, Townsend House in Old Town and the Former Refuge in Park South.
- Pledge 8 - Complete the redevelopment of Sussex Square.

Councillor Martyn responded to the observations and questions put by Councillors Dale Heenan, Emma Faramarzi, Des Moffatt, Gary Sumner and the Chair on the following matters:

- The difficulty faced by an applicant who wishes to electronically complete a licensing application form on the Council's website, and the plans for the future digitalisation of the licensing service.
- The social housing building programme, and the number of houses planned.
- The length of time required for the recovery of building costs through rental charges, and consideration of maintenance costs during that time.
- The 'borrowing headroom' in the Housing Revenue Account and the timeline for the housing programme.

- The homeless shelter on Carfax Street.
- The non-renewal of the roofing contract due to a gas safety issue.
- Compliancy with the required safety checks on things such as gas and electricity, and fixed appliance testing.

Resolved – (1) That Councillor Martyn be thanked for attending the meeting to present her performance report and for her 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 them via the Committee Clerk.

63. Review of the Council's Civil Resilience and Response in Emergency Situations

Cherry Jones, Director of Public Health, was in attendance and presented to the Committee a report setting out the Civil Protection Arrangements within Swindon Borough Council.

Mrs Jones responded to the observations and questions put by Councillors Ray Ballman, Mark Dempsey and the Chair on the following matters:

- The bomb scare incident in Pinehurst on 14th January 2018 which resulted in the evacuation of 40 residents, and members' concerns that no Borough Council officer had been in attendance during this incident.
- The response time expected from officers that are on call.
- The regular reviews that are held following all incidents to consider what worked well and what required improvement.
- The cross-border work with Wiltshire Council, and the regular drills that are run to practice responses.

Resolved – (1) That the contents of the report be noted.

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

64. Work Programme 2017/2018

The Committee considered a report of the Director of Law and Democratic Services setting out the topics for inclusion in the 2017/18 Scrutiny Work Programme, as agreed by the Committee at its meeting on 19th June 2017 and 17th July 2017, and updated during the course of the Municipal Year.

The Chair provided an update with regard to the reports expected to be submitted to future meetings of the Committee on (i) the outsourcing of services and (ii) Policing in Swindon.

65. Status of Requests for Action and / or Information

The Committee received an updated report advising on the status of outstanding issues and member requests for information.

Resolved – That the report on the status of outstanding issues and member requests for information be noted.

