

CENTRAL SWINDON NORTH PARISH COUNCIL

AG11 Transfer of Services Update

1. Recommendation for Full Council

While past service transfers have been successful, the scale and scope of SBCs proposal, combined with limited financial support and preparation time, makes it unworkable in its current form.

Councillors are recommended that without additional resources, clear legal agreements, and more time for planning, the proposed service transfer will place an unsustainable and unknown burden on the Council, threatening the quality of our current services and placing the Council in a position of accepting an unlawful transfer.

It is recommended that the Parish Council cease transfer negotiations with Swindon Borough Council until statutory legal compliance matters and commensurate TUPE requirements are made clear, packaged with a workable timetable.

2. Report Details

Introduction

Swindon Borough Council is facing increasing financial pressures and, as a result, is seeking ways to reduce costs while maintaining essential services for residents.

One of the primary proposals involves devolving certain services currently provided by the Borough Council to Parish Councils. This initiative is part of broader budget-saving measures outlined in the Council's 2024 budget report, with a goal of reducing operational costs by shifting **non-statutory** responsibilities to all parishes.

While the proposal aims to ensure more localised service delivery and SBC revenue budgetary relief, the Parish Council must carefully consider whether this is feasible given the scope of the services to be transferred and the unpredictability of the Councils current operational estate.

Summary

Swindon Borough Council's proposal to devolve non-statutory services to Parish Councils comes at a time of significant financial strain for SBC as its adults and childrens responsibilities continue to consume larger proportions of its revenue budgets.

Whilst SBC and Parish Councils share the same public service endeavour the critical two issues in the case of this second devolution proposal are the unquantifiable costs of transferring services by geography alone and the creep of including statutory highways provision which SBC cannot lawfully absolve itself.

Services to be Devolved

As advised, excluding the town centre, it is proposed to transfer two main service categories for Central Swindon North:

1. **Gateways and Roundabouts:** This includes maintenance of highway verges, hedgerows, shrub beds, litter clearance, and weed control.
2. **Grounds Maintenance:** Responsibilities include rural route upkeep, cemetery management, housing grounds maintenance (HRA), weed control, and town centre floral displays.

Currently, these services are managed by 21.5 Full-Time Equivalent (FTE) staff. Of these, 11.5 FTEs are dedicated to town centre cleaning, with the remaining 10 FTEs responsible for grounds maintenance and gateways.

However, the Borough Council has not provided a detailed breakdown of FTE allocation across the 20 Parish areas. As a result, Parishes are left to estimate their staffing needs based on their relative land size, making the task of planning and resource allocation difficult.

One example of the baked in inefficiency of this calculation is Hannington Parish Council; using this calculation Hannington would receive 10% of the staffing budget cost. The population of Hannington is 300-400 residents and an existing precept of £8,011. The relative impact would at least quintuple the precept demand.

High Level Financial Considerations

- **Grounds Maintenance and Gateways/Roundabouts:** £628,200 annually, including £382,500 in employee costs and £245,700 in running expenses.
- **Town Centre Cleaning and Public Toilets:** £619,300 annually, with £464,500 for staff, £117,400 for running expenses, and an additional £37,400 for public toilets.

Parish Councils would need to absorb these costs, which from the parish forum is unpalatable for smaller parishes with limited budgets. The proposal suggests that savings would be split across two financial years, but Parish Councils must assess their capacity to take on these significant operational costs and consider the potential for additional expenses.

Furthermore, SBC plans to offer vehicles and equipment to Parishes for an additional cost, further increasing financial demands. At the very least Parishes should expect these vehicles to transfer at no cost with 'Best Value Consideration' demonstrated by the devolution saving to SBC alone.

Lawfulness: Statutory vs. Discretionary Services

A critical concern is the lack of clarity over which services are statutory and which are discretionary. While SBC expects the majority of the activities to be statutory, they are not formally transferring statutory obligations but rather the responsibility for carrying them out on the Borough's behalf.

In the same as tranche one in 2017, a formal Service Level Agreement (SLA) or "Deed" will need to be established to clearly define roles and responsibilities..

Additionally, we would need to secure public liability insurance, the level of which will depend on the scope of services being transferred. At an estimate, for Central Swindon North Parish Council this would be in the region of £17,000 in addition to the projected £60,000 annual cost for 2024/25.