

# Swindon Borough Council

## Special Committee

**Monday, 4 July 2016**

Committee Room 6, Civic Offices

At 4.00 p.m.

### **Conservative Councillors**

*David Renard (Chair)*  
*Fionuala Foley*  
*Brian Ford*  
*Russell Holland (Vice-Chair)*  
*Mary Martin*  
*Garry Perkins*

**Deputies:** *All other Cabinet Members*

### **Labour Councillors**

*Junab Ali*  
*Jim Grant*  
*Des Moffatt*  
*Kevin Small*

**Deputies:** *All other Labour Shadow Cabinet Members*

### **Liberal Democrat Councillors**

*Stan Pajak*

**Deputies:** *All other Liberal Democrat Members*

**Committee Officer:** Steve Jones (Telephone: 01793 463602),  
email: [stevejones@swindon.gov.uk](mailto:stevejones@swindon.gov.uk)

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street, Swindon, SN1 2JH (Telephone 01793 445500)

**Access Arrangements** - The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you have any special requirements to enable you to attend the meeting or would like to receive any of the pages contained in this agenda in a larger print size, please contact the Committee Officer as soon as possible prior to the date of the meeting.

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## **AGENDA**

### **1. Apologies for Absence**

### **2. Declarations of Interest**

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

### **3. Minutes (Pages 3 - 4)**

To receive the minutes of the meeting held on 25<sup>th</sup> April 2016.

### **4. Public Question Time**

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

**5. Organisation changes consequential on the appointment of the Chief Executive**

*(Report to follow)*

**6. Restructure of Adult and Public Health Services**

*(Report to follow)*

**7. Old National School Foundation - Appointment of Trustees** (Pages 5 - 8)

**Date of Despatch:** 24 June 2016

**Public Question Time** - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Director of Law and Democratic Services, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website.

(<http://www5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

**Special Committee - Terms of Reference**

The Special Committee shall have delegated to it the power to act for the Council on the advice of the Chief Executive on any policy decision or any particular matter that is urgent and necessary in the best interests of the Council.

The quorum of the Committee shall be three.

Deputy Members may be appointed at the Annual or any meeting of the Council.

Minutes of any proceedings of this Committee shall be submitted to the Council.

## **SPECIAL COMMITTEE**

**MONDAY, 25 APRIL 2016**

**PRESENT:-** Councillors Junab Ali, Fionuala Foley, Brian Ford, Jim Grant, Dale Heenan, Brian Mattock (Vice-Chair), Des Moffatt, Stan Pajak, Garry Perkins, Kevin Small and Russell Holland.

Apologies for absence were received from Councillors David Renard (Chair).

### **21. Declarations of Interest**

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

### **22. Minutes**

Resolved –That the minutes of the meeting held on 15<sup>th</sup> February 2016 be confirmed and signed as a correct record.

### **23. Public Question Time**

No public questions were asked under Standing Order 28.

### **24. Wroughton Neighbourhood Plan**

The Committee received a report of the Head of Planning, Regulatory Services and Heritage, setting out the Council's role in respect of the Wroughton Neighbourhood Plan, following public consultation and the issuing of the independent Examiner's Report. It was noted that it was a requirement of Schedule 4B (12) of the Town and Country Planning Act 1990 (as amended) and paragraph 18 of The Neighbourhood Planning (General) Regulations 2012, that a local authority must consider each of the recommendations made in the Examiner's Report and decide what action to take in response to each recommendation. It was further noted that, if the Borough Council was satisfied that, subject to modifications being made, the draft Neighbourhood Plan met the legal requirements and basic conditions as set out in legislation, then the plan could proceed to referendum.

Resolved – (1) That the Wroughton Neighbourhood Plan 'Decision Statement', as set out in the Appendix 1 to the report, be approved.

(2) That, subject to his being satisfied as to the carrying out by Wroughton Parish Council and Swindon Borough Council of the modifications recommended by the Examiner, the Director of Law and Democratic Services be authorised to undertake a referendum on the Wroughton Neighbourhood Plan in Wroughton Parish, in accordance with the Neighbourhood Planning (Referendum) Regulations 2012, as soon as is practically possible.

(2) That a change to the Council's polling place scheme for the Wroughton Neighbourhood Planning Referendum be approved, so that all polling stations are situated within the Ellendune Centre.

### **25. Organisation changes consequential on the appointment of the Chief Executive**

The Leader of the Council and the Chief Executive submitted a joint report regarding the commencement of the first stage of a phased approach to a review of the required structure for the Council over the coming months, following the formal appointment of the new Chief Executive on the 25th February 2016.

The report sought authority for the new post holder to make amendments to the council's organisational structure. It was also noted that, over the next 12 months, it was intended that there would be further changes to the Council's management structure, additional to those outlined in the report, and that these proposed changes would be the subject of a series of reports and recommendations to be made to this Committee.

Specifically, the report sought authority for the deletion of the Board Director Commissioning post, to be replaced with two statutory roles of Director of Adult Services and Director of Children's Services, as per the current interim arrangements, and the deletion of the Head of Commissioning Children & Adults post and the Head of Children's Social Care, Community Health & Family Services post.

Resolved – (1) That the following posts be deleted from the management structure:

- a) Board Director Commissioning (DCS/DASS).
- b) Head of Commissioning Children & Adults.
- c) Head of Children's Social Care, Community Health & Family Services.

(2) That, consequent to the internal appointment of the Board Director Commissioning (DCS/DASS) to the post of Chief Executive, the interim arrangements previously agreed by the Committee with regard to the statutory roles of Director of Adult Social Services (DASS) and Director of Children's Services (DCS), as reported to the Special Committee at its meeting on 18th December 2015 (Minute No. 15 refers), be made permanent.

(3) That the appointment of Penna to assist with the internal recruitment process for the statutory roles of Director of Children Services (DCS) and Director of Adult Social Services (DASS), and to assist with the recruitment of an Interim Head of Economy, be endorsed.

(4) That the interim arrangements previously agreed, for (i) the Head of Education Services to report to the DCS, and (ii) the Director of Public Health to report to the DASS, be made permanent.

(5) That the interim arrangement previously agreed, for the Head of Housing Management and Community Safety to report the Board Director Service Delivery, be made permanent.

(6) That the revised organisation chart, attached to the report at Appendix 2, be agreed.

(7) That the Director of Law and Democratic Services be authorised to amend the Council's Constitution as necessary to reflect the decisions referred to in (1) to (6) above.

## Appointment of Trustees to The Old National School Foundation

**Special Committee**

**Date: 4<sup>th</sup> July 2016**

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Author:	Director of Law and Democratic Services
Wards:	All
Locality Affected:	All
Parishes Affected:	All

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### **1. Purpose and Reasons**

- 1.1 To consider a request from The Old National School Foundation to appoint two Councillors as trustees to that trust.
- 1.2 This report does not have direct links to the Corporate Strategy, One Swindon, Strategic Objectives, Plans and Policies but allows open and transparent decision making.

### **2. Recommendations**

The Committee is recommended to:

- 2.1 To appoint two representatives to serve on The Old National School Foundation Trust.

### **3. Detail**

- 3.1 A request has been received from Mr Keith Tredget, Treasurer of Christ Church, in respect of a Charitable Trust that has been dormant for many years called "The Old National School Foundation". This trust is registered with the Charity Commission (Registered Charity number 30932) and the trust deed states "Application of Income – Benefit of King William Street School and Exhibitions".
- 3.2 The trust was created by the Board of Education through a deed sealed on 14<sup>th</sup> September 1905,
- 3.3 It is intended that this trust be closed but prior to its closure the current assets of approximately £10,000 must be disposed of. It is intended that the receipts in the trust fund be passed to King William School.
- 3.4 The trust currently has two trustees, The Reverend Simon Stevenette and Margaret Williams MBE, there are currently no living signatories to the account. In order for Lloyds Bank to authorise new signatories for the trust account it requires a Trustees meeting to pass a resolution confirming the appointment of new signatories to the account.
- 3.5 The quorum for a meeting of the trustees is four members and the deed states that there should be "two representatives to be appointed each year by the

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Further information on the subject of this report can be obtained from Shaun Banks, (01793) 463606, sbanks@swindon.gov.uk.

# Appointment of Trustees to The Old National School Foundation

**Special Committee**

**Date: 4<sup>th</sup> July 2016**

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Swindon Borough Council". Currently there are no nominated representatives from this Council serving on the trust.

- 3.6 Special Committee is asked to consider the request for nominations and to determine whether it wishes to appoint two Councillors or two independent representatives to serve as trustees. In the event the Council wishes to propose the nomination of independent trustees, Mr Keith Tredget and Ms Nicola Grosvenor (a retired solicitor) have indicated their willingness to serve as trustees.

## **4. Alternative Options**

- 4.1 None. It is important that there be appointments to the trust in order for it be legally constituted and carry out its functions.

## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1 There are no direct Financial or Procurement Implications to the Council. Any Financial Implications will be addressed directly by the Trust.

### Legal and Human Rights Implications

- 5.2 Legal and Human Rights implications were taken fully into account in the preparation of this report and it is believed the recommendations are compatible with Convention rights.

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

- 5.3 No other specific implications were identified during the preparation of this report.

### Diversity Impact Assessment

- 5.4 No Diversity Impact Assessment has been undertaken in preparing this report.

### Risk Management

- 5.5 No other specific implications were identified during the preparation of this report.

## **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.

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Further information on the subject of this report can be obtained from Shaun Banks, (01793) 463606, sbanks@swindon.gov.uk.

# **Appointment of Trustees to The Old National School Foundation**

**Special Committee**

**Date: 4<sup>th</sup> July 2016**

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## **7. Background Papers**

7.1 Board of Education Trust Document.

## **8. Appendices**

8.1 None.

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