

## **COUNCIL**

**THURSDAY, 22 FEBRUARY 2018**

PRESENT:- The Worshipful The Mayor in the Chair; Councillors Junab Ali, Steve Allsopp, Abdul Amin, John Ballman, Ray Ballman, Alan Bishop, Emma Bushell, Matthew Courtliff, Wayne Crabbe, Malcolm Davies, Paul Dixon, Oliver Donachie, Toby Elliott, Claire Ellis, Steph Exell, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, Jim Grant, John Haines, Dale Heenan, Russell Holland, Fay Howard, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Gemma McCracken, Des Moffatt, Derique Montaut, Stan Pajak, Barbara Parry, Kevin Parry, Garry Perkins, David Renard, James Robbins, Eric Shaw, Carol Shelley, Kevin Small, Gary Sumner, Timothy Swinyard, Caryl Sydney-Smith, Vera Tomlinson, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, Steve Weisinger, Keith Williams, Robert Wright and Julie Wright.

### **79. Apologies for Absence**

Apologies for absence were received from Councillors Mark Dempsey, Jane Milner-Barry, Teresa Page and David Wood.

### **80. Communications**

The Chief Executive reported that no communications had been received.

### **81. Minutes**

Resolved – That the minutes of the meeting held on 25<sup>th</sup> January 2018, be confirmed and signed.

### **82. Declarations of Interest**

The Worshipful The Mayor reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

### **83. Public Question Time**

Mr Les White submitted written questions regarding vehicles parking on grassed areas within the Borough. The Council was advised that Cabinet Member for Housing and Public Safety had provided written responses to Mr White's questions and that these had been circulated at the meeting.

Ms Sarah Church submitted a written question regarding an increase of rent arrears arising from Council housing tenants previous in receipt of other state benefits being transferred onto Universal Credit. The Council was advised that Cabinet Member for Housing and Public Safety had provided a written response to Ms Church's questions and that these had been circulated at the meeting.

Mr Martin Costello submitted a written question regarding the proposed new Museum in Swindon. The Council was advised that the Leader of the Council had

provided a written response to Mr White's questions and that these had been circulated at the meeting.

Mr Terry Reynolds submitted written questions regarding work undertaken by the Council to property that they did not own either on grounds of health and safety or to visually improve the surrounding area. The Council was advised that the Leader of the Council had provided written responses to Mr Reynolds' questions and that these had been circulated at the meeting.

Mr Daniel Rose asked a question regarding the future of the Platform and its future occupancy. The Cabinet Member for Children's Services and School Attainment responded at the meeting.

Mr Rose asked a supplementary question regarding the future consultation process in respect of any changes to the use or occupancy of the Platform. The Cabinet Member for Children's Services and School Attainment indicated that a written response to the question would be provided.

Mr Roy Warman asked a question regarding problems currently being experienced by members of the public when telephoning the Council. The Leader of the Council responded at the meeting.

#### **84. Council Budget 2018/19**

The Council considered joint reports of the Cabinet Member for Finance and Commercialisation and the Corporate Director for Resources and Growth, considered by the Cabinet on 7<sup>th</sup> February 2018 relating to (i) Budget 2018/19 and Beyond, (ii) Capital Programme 2018/19, (iii) Treasury Strategy Statement 2018/19, and (iv) Minute 72 of the Cabinet (Budget 2018/19 and Beyond), Minute 73 of the Cabinet (Capital Programme 2018/19) and Minute 74 of the Cabinet (Treasury Statement 2018/19).

(1) Councillor Russell Holland moved and Councillor David Renard seconded that Minute 72(2) of the Cabinet (Budget 2018/19 and Beyond be confirmed and adopted.

Councillor Kevin Small moved and Councillor Jim Grant seconded:

"That Council:

(i) Resolves to amend the Cabinet's Revenue Budget and Capital Programme proposals for 2018/19 as agreed at the February 7<sup>th</sup> Cabinet Meeting, as follows:

- To use £1.5m over 2 years of the Children's Services Transitional Funding to open a Children's Centre in an area of need.
- To note in the Financial Projection figures (Appendix 6), that the cost pressures identified for 2020/21 to 2021/22 would be reduced due to the early intervention work undertaken by Children's Centres which will contribute to the ongoing cost of this service.
- To reduce the Budget Risk Contingency by £100k to introduce the Living Wage Foundation wage scale for Swindon Borough Council Employees

(£50k), and enhance the investment in the Neighbourhood Care Scheme (£50K).

- To take £60k per annum in 2018/19 and 2019/20 from the Infrastructure Reserve Fund, to support Town Centre Regeneration, and employ a manager for a two year period to work with heritage groups and other interested parties to protect and bring back into use Swindon town centre heritage buildings.
- To borrow £1m for additional investment in Lydiard Park and House. The revenue effect of this additional borrowing would be covered by a £80K saving from bringing Forward Swindon back in-house.

(ii) Notes the proposed amendments have been checked by officers and the Section 151 Officer has confirmed the budget amendments for 2018/19 are financially deliverable, if agreed, and the Budget would be lawful.”

The Amendment was put to the vote and declared lost.

In line with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the vote on Minute 72 of the Cabinet (Budget 2018/19 and Beyond) was recorded:

Councillors voting for the Motion were: Councillors Junab Ali, Steve Allsopp, Abdul Amin, John Ballman, Ray Ballman, Emma Bushell, Matthew Courtliff, Paul Dixon, Stephanie Exell, Jim Grant, Fay Howard, Des Moffatt, Derique Montaut, Stan Pajak, James Robbins, Carol Shelley, Kevin Small, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, David Wood, Julie Wright and Robert Wright.

Councillors voting against the Motion were: Councillors Alan Bishop, Wayne Crabbe, Malcolm Davies, Oliver Donachie, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, John Haines, Dale Heenan, Russell Holland, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Gemma McCracken, Barbara Parry, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, Eric Shaw, Gary Sumner, Tim Swinyard, Caryl Sydney-Smith, Vera Tomlinson, Steve Weisinger and Keith Williams.

The Substantive Motion was put to the vote and declared carried.

In line with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the vote on Minute 72 of the Cabinet (Budget 2018/19 and Beyond) was recorded:

Councillors voting for the Motion were: Councillors Alan Bishop, Wayne Crabbe, Malcolm Davies, Oliver Donachie, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, John Haines, Dale Heenan, Russell Holland, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Gemma McCracken, Barbara Parry, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, Eric Shaw, Gary Sumner, Tim Swinyard, Caryl Sydney-Smith, Vera Tomlinson, Steve Weisinger and Keith Williams.

Councillors voting against the Motion were: Councillors Junab Ali, Steve Allsopp, Abdul Amin, John Ballman, Ray Ballman, Emma Bushell, Matthew Courtliff, Paul

Dixon, Stephanie Exell, Jim Grant, Fay Howard, Des Moffatt, Derique Montaut, Stan Pajak, James Robbins, Carol Shelley, Kevin Small, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, David Wood, Julie Wright and Robert Wright.

(2) Councillor Russell Holland moved and Councillor David Renard seconded that Minute 73 of the Cabinet (Capital Programme 2018/19) be confirmed and adopted.

The Motion was put to the vote and declared carried.

In line with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the vote on Minute 72 of the Cabinet (Budget 2018/19 and Beyond) was recorded:

Councillors voting for the Motion were: Councillors Alan Bishop, Wayne Crabbe, Malcolm Davies, Oliver Donachie, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, John Haines, Dale Heenan, Russell Holland, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Gemma McCracken, Barbara Parry, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, Eric Shaw, Gary Sumner, Tim Swinyard, Caryl Sydney-Smith, Vera Tomlinson, Steve Weisinger and Keith Williams.

Councillors voting against the Motion were: Councillors Junab Ali, Steve Allsopp, Abdul Amin, John Ballman, Ray Ballman, Emma Bushell, Matthew Courtliff, Paul Dixon, Stephanie Exell, Jim Grant, Fay Howard, Des Moffatt, Derique Montaut, Stan Pajak, James Robbins, Carol Shelley, Kevin Small, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, David Wood, Julie Wright and Robert Wright.

(3) Councillor Russell Holland moved and Councillor David Renard seconded that Minute 74 of the Cabinet (Treasury Statement 2018/19) be confirmed and adopted.

The Motion was put to the vote and declared carried.

## **85. Council Tax Setting 2018/19**

The Council considered a joint report of the Cabinet Member for Finance and Commercialisation and the Corporate Director for Resources and Growth, concerning the amount of Council Tax for each Valuation Band for dwellings in each part of the Borough for 2018/19, and related matters, including legal advice.

Councillor Russell Holland moved and Councillor David Renard seconded and the Council agreed:

“(1) That it be recorded that the advice of the Director of Law and Democratic Services’ has been taken into account when setting the level of Council Tax for 2018/19.

(2) That it be noted that the Council’s revenue budget is £140,224,053 as recommended by the Cabinet to this Council on 7<sup>th</sup> February 2018.

(3) That it be noted that in accordance with Section 31B of the Local Government Finance Act 1992 (as amended) the Council’s Tax Base for 2018/19 is 72,898.6 in total with the breakdown by Parish set out in Appendix 3 to the report.

(4) That the following amounts be calculated by the Council in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended by the Localism Act 2011:-

- (a) Borough / Parish Gross Expenditure £489,671,983 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the 1992 Act taking into account all precepts issued to it by Parish Councils.
- (b) Borough Gross Income plus Collection Fund Balance £386,342,875 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) Borough/Parish Net Expenditure £103,329,108 being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year.
- (d) Basic Amount of Tax (including Average Parish Precepts) £1,503.36 being the amount at 4(c) above divided by the amount at 3 above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year. In accordance with Schedule 5 of the Localism Act 2011, this sum is not considered to be excessive.
- (e) Special Items £7,560,030 being the aggregate of Special Expenses and Parish Precepts and collectively known as special items and referred to in Section 34(1) of the Act.
- (f) Basic Amount of Tax £1,313.73 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by the amount at 3, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.
- (g) Basic Amount of Tax (Special and Parished Areas) the amounts shown in Appendix 2 of the report, being the amounts given by adding to the amount at 4(f) above, the amounts of the special items relating to dwellings in the appropriate part of the Council's area - divided by the appropriate amount at 3 above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which a special item relates.
- (h) Borough/Parish Council Tax Rates the amounts shown in Appendix 1 of the report, being the amounts given by multiplying the amounts at 4(g) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in a particular valuation band, divided by valuation D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(5) Police and Crime Commissioner for Wiltshire and Swindon That it be noted that for the year 2018/2019 the Police and Crime Commissioner for Wiltshire and Swindon has stated the following amounts in precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£121.51	£141.77	£162.02	£182.27	£222.77	£263.28	£303.78	£364.54

(6) Dorset and Wiltshire Fire Authority That it be noted that for the year 2018/2019 the Dorset and Wiltshire Joint Fire Authority has stated the following amounts in

precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£48.47	£56.54	£64.62	£72.70	£88.86	£105.01	£121.17	£145.40

(7) That this Council notes that there will an average 4.99% increase in the Council Tax levels for the Borough element of the 2018/19 Council Tax bills in accordance with the budget proposed by Cabinet on 7<sup>th</sup> February 2018.

(8) That this Council determines that the Basic Amount of Council Tax for the Financial Year, 2018/19 is not excessive within the statutory definitions set out within Part 1 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011) and that therefore no referendum is required.

(9) That it be recorded that the advice of the Director of Finance (Section 151 Officer) has been taken into account in the setting of the level of Council Tax for 2018/19.

The Motion was put to the vote and declared carried.

In line with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the vote on this Motion was recorded:

Councillors voting for the Motion were: Councillors Alan Bishop, Wayne Crabbe, Malcolm Davies, Oliver Donachie, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, John Haines, Dale Heenan, Russell Holland, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Gemma McCracken, Barbara Parry, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, Eric Shaw, Gary Sumner, Tim Swinyard, Caryl Sydney-Smith, Vera Tomlinson, Steve Weisinger and Keith Williams.

Councillors voting against the Motion were: Councillors Junab Ali, Steve Allsopp, Abdul Amin, Emma Bushell, Matthew Courtliff, Mark Dempsey, Paul Dixon, Stephanie Exell, Jim Grant, Fay Howard, Jane Milner-Barry, Des Moffatt, Derique Montaut, Stan Pajak, James Robbins, Carol Shelley, Kevin Small, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, David Wood and Robert Wright.

## **86. Housing Revenue Account - Rents and Charges 2018/19**

The Council considered (a) a joint report of the Cabinet Member for Housing and Public Safety and the Acting Corporate Director, Communities and Housing concerning the proposed Housing Revenue Account – Rents and Charges 2018/19, and (b) Minute 75 of the Cabinet (Housing Revenue Account – Rents and Charges 2018/19).

Councillor Cathy Martyn moved and Councillor Russell Holland seconded:

- a) That the proposed average rent for Housing Revenue Account (HRA) dwellings for 2018/19 of £79.63 per week (52 week basis), which is a decrease of 1.0%, be approved. This will be an average decrease of £0.80 per week (52 week basis). The range of decreases is shown in paragraph 3.9.
- b) That the Acting Corporate Board Director, Communities and Housing be authorised to seek authority from the Secretary of State to extend the permission for the use of the Housing Revenue Account for payments to the

Council's tenants under the Discretionary Housing Payments scheme, and provide a budget of £200k in 2018/19 as detailed at paragraph 3.25 of the report.

- c) That the housing related support charges for 2018/19 and service charges for 2018/19, as outlined in Appendix 2 to the report, be approved.
- d) That Leaseholder service charges be set for 2018/19, as shown in Appendix 3 to the report.
- e) That, based on the proposals set out within this report, the Housing Revenue Account (HRA) proposed budget 2018/19, shown in Appendix 4 to the report, be approved and that the HRA Capital Budget and Funding be approved as shown in Appendix 5 to the report.
- f) That the draft 3 year capital projects and planned maintenance programme be approved at an indicative funding level of £15.5m (2017/18 prices) for 2018/19 as shown in Appendix 6 to the report.
- g) That the reduction of rents charged on General Fund properties in line with Government guidance on Housing Revenue Account rents be reduced by 1% for 2018/19. Service charges, for General Fund properties, as shown in Appendix 7 to the report, be approved.
- h) That the increase of rents charged for plots at the Hay Lane Residential Gypsy Site by £2.57 per week (5.0%) to £53.83 per week (52 week basis) and the rents for workpens, shown in Appendix 7 to the report, be approved.
- i) That the charges for Private Sector Leased (PSL) accommodation for those accepted as homeless outlined in Appendix 7 to the report be approved.
- j) That any underspend or overspend on the 2017/18 Housing Revenue Account be managed through the general revenue reserves.

The Motion was put to the vote and declared carried.

## **87. Swindon Pay Policy Statement 2018/19**

The Council considered (a) a joint report of the Cabinet Member for Corporate Services and Digitalisation and the Director of Human Resources and Organisational Development on the requirement, under Section 38 of the Localism Act 2011, for the Council to agree and publish a Pay Policy Statement by 1<sup>st</sup> April each year, and setting out the Council's proposed Pay Policy Statement for consideration, (b) Minute 76 of the Cabinet (Pay Policy Statement), and (c) the Council's draft Pay Policy Statement.

Councillor Keith Williams moved and Councillor Russell Holland seconded:

"That the Council's Pay Policy Statement for 2018/19, as set out in Appendix A of the joint report be approved and adopted."

The Motion was put to the vote and declared carried.

## **88. Appointments to Outside Bodies**

The Director of Law and Democratic Services submitted a report seeking the appointment of representatives to serve on Outside Bodies.

Councillor David Renard moved and Councillor Russell Holland seconded:

“(1) That the appointment of Jannie Freeman, Doctor Jeffrey Hardy and James Ward to the Public Power Solutions Board for a two year term of office, until Annual Council 2020/21 be approved.

(2) That, further to Minute 70 of the Cabinet (2015/16), the Leader of the Council’s attendance at England’s Economic Heartland Strategic Transport Forum for the remainder of the Municipal Year 2017/18 be supported.”

The Motion was put to the vote and declared carried.

**89. Motion - Residents Parking**

Councillor Bob Wright moved and Councillor Oliver Donachie seconded:

“This Council:

- Notes that a Council motion is to be considered by Cabinet regarding the reduction of charges for residential parking season tickets in Council Long-Stay Car Parks.
- Requests that the Cabinet Member include within this item to Cabinet the feasibility of the Residents Parking Season Ticket charge being applied to other secure Council Car Parks, plus a fee for the Council’s security services.”

The Motion was put to the vote and declared carried.

**90. Councillors Question Time**

The Director of Law and Democratic Services reported that a Standing Order 15 Question had been received from Councillor Abdul Amin.