

COUNCIL

THURSDAY, 8 NOVEMBER 2018

PRESENT:- The Worshipful The Mayor in the Chair; Councillors Steve Allsopp, Abdul Amin, Ray Ballman, Alan Bishop, Emma Bushell, Matthew Courtliff, Claire Crilly, Malcolm Davies, Paul Dixon, Oliver Donachie, Toby Elliott, Steph Exell, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, Jim Grant, John Haines, Dale Heenan, Russell Holland, Fay Howard, Janine Howarth, Mary Martin, Nick Martin, Cathy Martyn, Brian Mattock, Jane Milner-Barry, Des Moffatt, Teresa Page, Stan Pajak, Barbara Parry, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, James Robbins, Imtiyaz Shaikh, Carol Shelley, Kevin Small, Roger Smith, Andy Spry, Gary Sumner, Timothy Swinyard, Caryl Sydney-Smith, Rahul Tarar, Chris Watts, Nadine Watts, Peter Watts, Steve Weisinger, Keith Williams and Robert Wright.

49. Apologies for Absence

Apologies for absence were received from Councillors John Ballman, Mark Dempsey, Claire Ellis, Teresa Page, Vera Tomlinson and Julie Wright.

50. Communications

The Chief Executive reported that no communications had been received.

51. Minutes

Resolved – That the minutes of the meeting held on 20th September 2018, be confirmed and signed.

52. Declarations of Interest

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

53. Public Question Time

Mr Martin Costello submitted a written question regarding the Council's Members' Allowances provisions. The Council was advised that the Leader of the Council had provided a written response Mr Costello's question and this had been circulated at the meeting.

Mr Derrick Wood asked a question regarding Council Tax discounts for empty properties. The Leader of the Council responded at the meeting.

Mr Wood asked a supplementary question regarding the equality of the current Council Tax system. The Leader of the Council responded at the meeting.

54.

Minutes for Confirmation

Councillor David Renard moved and Councillor Russell Holland seconded that Minute 41 of the Cabinet (Polling District and Places Review) be confirmed and adopted.

55.

Council Petition Scheme

The Council considered a report of the Interim Director of Law concerning the receipt of a petition containing 466 signatures requesting the Council to "Protect the Toothill Farmhouse."

In accordance with the Council's Petition Scheme, Ms Mavis Read (petition Organiser) introduced the petition on behalf of the petitioners.

Councillor Keith Williams moved and Councillor Kevin Small seconded:

"This Council:

- (i) Thanks the petitioners for their petition.
- (ii) Requests the Cabinet Member for Finance to bring a report to Cabinet addressing the issues raised by the petitioners, including:

- Giving the Toothill Junior Youth Club some certainty of tenure by agreeing with them a long term fixed lease on the Farmhouse.
- Setting out the steps needed to make the Toothill Farmhouse an Asset of Community Value.
- Agreeing that the Toothill Farmhouse will not be further leased or disposed of and commit the site to its existing use."

The Motion was put to the vote and declared carried.

56.

Appointment of Statutory Officers

The Leader of the Council and Chief Executive submitted a report setting out (a) proposed appointment to the posts of Returning Officer, Electoral Registration Officer and Monitoring Officer, (b) seeking authorisation for the Chief Executive to nominate appropriate officers to fill vacancies left vacant following the redundancy of the former Director of Law and Democratic Services.

Councillor David Renard moved and Councillor Russell Holland seconded:

- "(1) That the appointment of the Chief Executive as the Council's Returning Officer and Electoral Registration Officer for Parliamentary elections, local elections and referendums be confirmed."
- (2) That the Interim Director of Law be appointed as the Council's Monitoring Officer until such time as a full time Head of Legal Services (Monitoring Officer) is appointed be confirmed.
- (3) That until a full time Head of Legal Services is appointed the Chief Executive be authorised to nominate appropriate officers to fill any vacant statutory and/or non-statutory positions identified as being previously occupied by the former Director of Law and Democratic Services."

The Motion was put to the vote and declared carried.

(The Chief Executive and Interim Director of Law left the room during the discussion of this item.)

57. Motion - Tree Maintenance

Councillor Steph Exell moved and Councillor Des Moffatt seconded:

“This Council:

- Notes that only £50k has been budgeted in the general fund for the maintenance of trees.
- Notes that over the last three years, 21 tree claims were settled by the Council with a total paid of £373,700.
- Notes that in November 2017 a motion was brought to Council requesting a review of its tree maintenance policy. This motion was voted down by the majority group.

Given the significant council spend on tree claim settlements, this Council believes an urgent review of its tree maintenance policy is needed and requests the Cabinet Member for Highways and the Environment to bring a report to Cabinet outlining how the Council can prevent such significant settlements for lack of tree maintenance in the future.”

The Motion was put to the vote and declared lost.

58. Motion - Modern Day Slavery

Councillor Steve Allsopp moved and Councillor Jim Robbins seconded:

“This Council:

- Notes that Police Forces in the South West saw a 5% increase in reporting of modern day slavery in 2017 and the Global Slavery Index has estimated there are 136,000 victims of modern day slavery in the UK.
- Recognises the role it can play in proactively preventing modern day slavery, particularly through vetting our supply chain and notes that many councils across the country have signed up to the “Charter Against Modern Slavery”, led by the Co-operative Party.
- Requests the Leader of the Council bring a report to Cabinet outlining how the Council can meet the requirements within this charter, which includes:
 1. Training our procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply.

2. Requiring contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenging any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlighting to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicising its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Requiring its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Reviewing its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlighting for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Referring for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Reporting publicly on the implementation of this policy annually."

Councillor Mary Martin moved and Councillor Tim Swinyard seconded that the Motion be amended to read:

"This Council welcomes the passing of the Modern Slavery Act by a Conservative led Government in 2015.

This Council commits to comply with the spirit and letter of that Act.
The Council notes that developments to date have included:

- The Cabinet Member booked onto a Local Government Association Sponsored Course on Modern Day Slavery Disruption and Community Safety.
- Swindon Borough Council being part of a pan-Wiltshire Anti-slavery Partnership Board.
- Swindon Borough Council Community Safety lead chairing a Victim Services task and finish group to create a response plan for victims and survivors to provide short-term support. This resulted in an off-the-shelf package that instructs all relevant parties in Swindon and Wiltshire in how to respond to operations that identify victims of modern slavery and trafficking.
- The work on the response plan leading to Swindon Borough Council being invited to the London Mayor's office to present the work to London Boroughs as best practice. Swindon Borough Council were the only non-London Borough in attendance.
- During police operations to support victims of slavery and trafficking through the National Referral Mechanism, Swindon Borough Council coordinating the response of partners, including charities, and provide infrastructure to enable that support. This is done through the Community Safety Team.

- The Council has run weeks of action such as high quality media campaigns to raise the public's awareness regarding modern slavery and related issues.
- Training around sexual exploitation, domestic abuse, adults and children is also undertaken by relevant staff.

The Council requests that the Leader of the Council and Cabinet Member keep this matter under review to ensure that we continue to be compliant.”

With the agreement of the Council and the mover and seconder of the Motion, the Motion was amended to read:

“This Council:

- Notes that Police Forces in the South West saw a 5% increase in reporting of modern day slavery in 2017 and the Global Slavery Index has estimated there are 136,000 victims of modern day slavery in the UK.
- Recognises the role it can play in proactively preventing modern day.
- Requests the Cabinet Member bring a report to Cabinet which includes consideration of:
 1. Training our procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
 2. Requiring contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
 3. Challenging any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
 4. Highlighting to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
 5. Publicising its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
 6. Requiring its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
 7. Reviewing its contractual spending regularly to identify any potential issues with modern slavery.
 8. Highlighting for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.

9. Referring for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Reporting publicly on the implementation of this policy annually."

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

59. Adoption of the Hannington Parish Neighbourhood Plan

The Cabinet Member for Strategic Planning submitted a report setting out the result of the referendum of the Hannington Parish Neighbourhood Plan and seeking Council's approval for its adoption.

Councillor Maureen Penny moved and Councillor Steve Weisinger seconded:

"That the Hannington Parish Neighbourhood Plan be formally adopted and made as part of the statutory Development Plan for the Borough."

The Motion was put to the vote and declared carried.

60. Minutes of Cabinet and Decisions Delegated to Cabinet Members

The Council considered (a) the minutes of the meeting of the Cabinet held on 17th October 2018, (b) questions to the Cabinet Members regarding their portfolio responsibilities and answers received, and (c) Cabinet Member Decision Notices.

61. Minutes of other Council Bodies

The Council (a) received the minutes set out in the "Minutes of Other Council Bodies" circulated with the Agenda, and (b) considered questions to Chairs relating to the work of their Committees and other bodies and answers received.

62. Councillors Question Time

The Interim Director of Law reported that Standing Order 15 Questions had been received from Councillors Steve Allsopp, Jim Grant and Des Moffatt.

Councillor Jim Grant asked a supplementary question in relation current work to reduce the cost of consultancy fees. The Leader of the Council responded at the meeting.

Councillor Steve Allsopp asked a supplementary question in relation to the reduction in telephone response rates at the Council's call centre. The Cabinet Member for Corporate and Customer Services responded at the meeting.

Councillor Des Moffatt asked a supplementary question in relation the eviction of tenants by private landlords. The Cabinet Member for Housing and Public Safety responded at the meeting.

Councillor Jim Grant asked a supplementary question in relation serious case reviews by Children's Services. The Cabinet Member for Children and School Attainment responded at the meeting.