

## **CABINET**

**WEDNESDAY, 14 MARCH 2018**

**PRESENT:-** Councillors David Renard (Chair), Russell Holland, Oliver Donachie, Toby Elliott, Fionuala Foley, Brian Ford, Cathy Martyn, Garry Perkins and Keith Williams

Apologies for absence were received from Councillors Mary Martin.

Councillor Wayne Crabbe attended the meeting in respect of Minute 91.

Councillor Jim Grant attended the meeting in respect of Minute Nos. 86 and 95.

Councillor Jane Milner-Barry attended the meeting in respect of Minute Nos. 89 and 90.

Councillor Des Moffatt attended the meeting in respect of Minute 86.

Councillor Peter Watts attended the meeting in respect of Minute 86.

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

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

Councillor Toby Elliott made a personal, non-prejudicial declaration of interest in respect of Cabinet's consideration of Agenda Item No. 11 ("Membership of England's Economic Heartland Strategic Transport forum") on the grounds that he is employed by Network Rail.

Councillor Jane Milner-Barry, who was in attendance to put questions regarding of Cabinet's consideration of Agenda Item No. 9 ("Swindon Local Transport Plan"), made a personal, non-prejudicial declaration of interest in respect of that item on the grounds that she is a member of the Wilts and Berks Canal Trust.

### **83. Minutes.**

Resolved – That the minutes of the meeting held on 7<sup>th</sup> February 2018 be confirmed and signed as a correct record.

### **84. Public Question Time.**

There were no public questions.

### **85. Exempt Items - Exclusion of Press and Public.**

Resolved – That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the item listed below, on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item No.	Paragraph No.	Minute No.
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## **86. Moredon Recreation Ground - Multi Sports Hub Proposals**

Councillor Mary Martin, the Cabinet Member for Communities and Place, and the Corporate Director Resources and Growth and Head of Property Assets submitted a joint report seeking approval to create a multi sports hub, ancillary retail, community related facilities, associated car parking and enabling residential development at the Moredon Recreation Ground, Swindon.

It was noted that the proposal afforded an opportunity for the Council to work with third parties to manage and maintain the multi sports hub, community related facilities and associated car parking as well as ring-fence any capital receipt from the disposal of the enabling residential land.

In the absence of Councillor Mary Martin, Councillor David Renard, the Leader of the Council, introduced the report. Ward Councillors Jim Grant, Des Moffatt, and Peter Watts all spoke to the item to welcome and endorse the proposals. These members also put questions regarding the preservation of the existing green corridor within the scheme and access to and egress from the facility. Officers responded to the questions at the meeting.

Resolved – (1) That the Head of Planning, Regulatory Services and Heritage and the Head of Property Assets be authorised to provide resources, to assist in the design and development of the multi sports hub, ancillary retail, community related facilities, associated car parking and enabling residential development ('the Development') at the Moredon Recreation Ground Swindon.

(2) That the Head of Property Assets be authorised to apply for planning consents for the proposed multi sports hub, ancillary retail, community related facilities, associated car parking and enabling residential development ('the Development') at the Moredon Recreation Ground Swindon.

(3) That the Head of Property Assets, in consultation with the Director of Law and Democratic Services and the Cabinet Member of Communities and Place, be authorised to identify potential occupiers and operators and to agree the terms for leasehold land transfers of the whole or part of the proposed sporting hub to third parties in exchange for taking responsibility for future management and maintenance and on such other terms and conditions that are considered appropriate in order to protect the Council's interests.

(4) That the Head of Property Assets be authorised to arrange for the enabling residential development land to be sold on the open market, conditional on the grant of full planning permission for development, on such detailed terms and conditions as are agreed with the Director of Law and Democratic Services in order to protect the Council's interests.

(5) That the Head of Property Assets, in consultation with the Director of Finance, be authorised to agree all necessary documentation to support grant-funding bids for the proposed sporting hub at the Moredon Recreation Ground Swindon on such terms and conditions as are necessary to protect the Council's interests.

(6) That the Director of Finance be authorised to ring-fence any capital receipt from the disposal of any enabling residential development land to fund the proposed sports hub with community related facilities and associated car parking at the Moredon Recreation Ground Swindon.

(7) That a budget of up to £290K, funded from section 106 Planning Agreement income, be approved to meet the costs of working up and submitting a planning application for delivery of the multi sports hub, ancillary retail, community related facilities, associated car parking and enabling residential development ('the Development') at the Moredon Recreation Ground Swindon.

The reasons for the decision and alternative options are as set out in the report to the meeting.

## **87. Queens Drive Regeneration**

Councillor Cathy Martyn, the Cabinet Member for Housing and Public Safety, and the Corporate Director Communities and Housing, submitted a joint report setting out the detail of the Queens Drive regeneration project to provide a new build development 99 flats and 50 houses, for affordable housing and seeks Cabinet's approval to proceed.

It was noted that the regeneration of Queens Drive is a large project that would require the demolition of outdated accommodation in order to make the site available for construction work.

Councillor Martyn advised that the final balance of affordable properties was dependent on the grant received from Homes England and her consultation with the Housing Advisory CMAG.

Resolved – (1) That the Head of Housing be authorised to proceed with:

- a) The demolition of properties alongside Queens Drive, at George Gay Gardens and the T-blocks to the south of Wolsely Avenue.
- b) The construction of new 99 flats and 50 houses on that site.

(2) That the Head of Housing, in consultation with the Cabinet Member for Housing and Public Safety, be authorised to determine the tenure mix authorised in (1)(a) above

(3) That the Head of Highways and Transport be authorised to progress the proposed stopping up of the public highways across the Queens Drive site to enable the scheme to proceed.

The reasons for the decision and alternative options are as set out in the report to the meeting.

## **88. Budget Management Update**

Councillor Russell Holland, the Cabinet Member for Finance and Commercialisation, and the Corporate Director of Resources and Growth and Director of Finance, submitted a joint report providing an update on the position in relation to the 2017/18 forecast outturn.

Councillor Holland introduced the report and thanked officers for their hard work in reducing the council's projected overspend by 98% since September 2017. Councillor Brian Ford drew Members' attention to how Adult Social Care was now projected to be on budget and the Borough's Delayed Transfer of Care rate was now down to just one per day.

Resolved – (1) That the in-year forecast outturn position for 2017/18 be noted.  
(2) That the Chief Executive communicate Cabinet's appreciation to all staff for the work that has been undertaken to reduce a projected deficit of £2.45m in September to just £48k.

The reasons for the decision and alternative options are as set out in the report to the meeting.

## **89. Swindon Local Transport Plan**

Councillor Mary Martin, the Cabinet Member for Communities and Place, and the Head of Highways & Transport, submitted a joint report seeking approval for the adoption of the Local Transport Plan Implementation Plan for 2018/19 and for the Local Transport Plan Capital Programme budget apportionment for 2018/19.

It was noted that the Local Transport Plan (LTP) is the principal means of delivering the Council's transport programme and is the statutory document that contains the transport policies and programmes of the local transport authority. It is listed in Article 4 of the Council Constitution as a key document in forming the policy framework for the Council and it is subject to an annual report to the Cabinet in order to ensure transparency in the apportionment of the funding and aid the delivery of the programme.

In the absence of Councillor Mary Martin, at the invitation of Councillor David Renard, the Leader of the Council, the Council's Head of Highways and Transport introduced the report, providing the meeting with a brief summary of its main elements, including the allocation of funding to support the review of the Council's transport strategy (including the review of the Town Centre Movement strategy), and the highlighting of priority and risk areas for investment, including the resilience of the strategic network (the most heavily used roads and key transport movement routes) and the condition of street lighting columns.

Following the introduction of the report and the officer's presentation of the important aspects of the Plan, Councillor Renard and the Head of Highways and Transport responded to questions put by Councillors Toby Elliott and Jane Milne-Barry regarding ward member input on priorities and negotiations with the Department for Transport and the Wilts & Berks Canal Trust about providing an access tunnel under the M4.

In response to a suggestion at the meeting, the officer undertook to investigate making available on-line a digital map of planned road works.

Resolved – (1) That the Local Transport Plan (LTP) Implementation Plan for 2018/19 be approved.  
(2) That the Local Transport Plan Capital Programme budget categories and total spend of £5,771k for 2018/19, as detailed in Tables 1 to 7 of the Implementation Plan attached as Appendix 3 to the report, be approved.  
(3) That the Head of Highways and Transport, in consultation with the Cabinet Member for Communities and Place, be authorised to:  
a) Prioritise schemes in accordance with Vision for Swindon priorities,  
b) Approve scheme progression in accordance with the updated Protocol (attached as Appendix 2 and originally approved by the Cabinet in July

2010),

- c) Amend the Protocol to reflect changing job titles, organisational restructuring and improved input from and visibility to members
- d) Vary allocations between different budget categories,
- e) Approve variations in scheme costs,
- f) Add/substitute schemes, provided expenditure is contained within the approved total budget,
- g) Add additional schemes to the 2018/19 programme subject to receipt of the Pothole Action Fund allocation for 2018/19.

(4) That the Head of Highways and Transport, in consultation with the Cabinet Member for Communities and Place, be authorised to develop and submit a bid / bids during 2018/19 for relevant funding opportunities that might be launched by Government, or other funding agencies, for transport schemes that will benefit Swindon and which are in accordance with Vision for Swindon priorities.

(5) That the Head of Highways and Transport, in consultation with the Director of Finance and the Cabinet Member for Communities and Place, be authorised to develop a protocol that will enable Ward Councillors to identify relevant schemes in their wards to which such monies can be allocated.

The reasons for the decision and alternative options are as set out in the report to the meeting.

## **90. School Admission Arrangements 2019-20 and Education Transport Policy 2019-20**

Councillor Fionuala Foley, the Cabinet Member for Children's Services and School Attainment, and the Head of Education, submitted a joint report seeking agreement to put in place co-ordinated admission arrangements for the normal point of entry (Reception, Year 3, Year 7) and In-year admission arrangements for all Swindon Schools and Published Admission Numbers (PAN) for Community and Voluntary Controlled Schools in Swindon for September 2019. Cabinet was also invited to agree the Education Transport Policy for 2019-20.

Councillor Foley introduced this annual report, drawing members' particular to attention to the main changes, concerning (i) the University Technical College decision to opt out of the Local Authority's Co-ordinated admission arrangements, and (ii) the Authority's introduction of a co-ordinated scheme for in year admissions for all Swindon Schools from September 2017.

Councillor Foley, with Councillor Russell Holland, the Cabinet Member for Finance and Commercialisation, and the Council's Corporate Director, Children's Services, also responded to questions put by Councillor Jane Milner-Barry on the topic of educational attainment levels of summer born children.

Resolved – (1) That the co-ordinated scheme of admission arrangements for the normal point of entry (Reception Year, Year 3 and Year 7) for all primary schools and secondary schools in Swindon from September 2019 be approved;  
(2) That the coordinated In Year admission arrangements for all primary schools and secondary schools in Swindon from September 2018 and September 2019 be approved;  
(3) That the admission numbers and arrangements for Community and Voluntary Controlled schools from September be approved;

- (4) That it be noted that these proposals will be implemented by the Head of Education for Admissions from September 2018 for all applicants.
- (5) That the Education Transport Policy 2019-20 be approved.

The reasons for the decision and alternative options are as set out in the report to the meeting.

**91. Membership of England's Economic Heartland Strategic Transport Forum (Minute for confirmation)**

Councillor David Renard, the Leader of the Council, and the Chief Executive, submitted joint report asking Cabinet to recommend to Council that the Leader of the Council be authorised to accept a formal invitation to join the England's Economic Heartland Strategic Transport Forum. It was noted that although Council has already given permission to the Leader to attend meetings ( Council Minute 88 refers), authorisation is required from Council to join an outside body and that Cabinet approval would be necessary to permit payment of the relevant subscription.

The Leader of the Council introduced the report, summarising the consultations that he had previously undertaken with the England's Economic Heartland strategic alliance of local authorities and placing the proposal that the Council be formally represented on the England's Economic Heartland Strategic Transport Forum in the context of the economic development opportunity for the Council. The Leader was of a view that the Council being directly involved in the work of the National Infrastructure Commission work and the work of Highways England and others was crucial to ensuring that Swindon was very much a part of what he saw as the development a crucial west-east transport and connectivity strategy.

The Leader took the opportunity of presenting the report to thank John Seddon, who would be shortly leaving the employ of the Council, for his work and support of the Leader in attending Forum meetings and developing relations to the point of this formal invitation to join the Forum.

Following his introduction of the report, the Leader, with Councillor Toby Elliott, responded to questions put by Councillor Wayne Crabbe about the Oxford-Cambridgeshire highway link route selection and the opportunity for bodies representing the Area of Outstanding Natural Beauty (AONB) in the Borough to be involved in future planning strategy discussions.

Resolved – (1) That Council be recommended that the Leader of the Council be authorised to accept an invitation to join formally the England's Economic Heartland Strategic Transport Forum.

(2) That, subject to Council's approval of (1) above, the Director of Finance, in consultation with the Cabinet Member for Finance and Commercialisation, be authorised to identify budget for the subscription fee, which is expected to be £30,000 per annum. This will be invoiced in due course for the 2018/19 financial year period.

Councillor Toby Elliott made a personal non-prejudicial declaration of interest in respect of this item in view of a reference in the report to his employer, Network Rail.

The reasons for the decision and alternative options are as set out in the report to the meeting.

**92. References from Other Council Bodies: Health and Wellbeing Board - Swindon Substance Misuse Strategy 2017 to 2022**

Councillor Cathy Martyn, the Cabinet Member for Housing and Public Safety, and the Director of Public Health, submitted joint report regarding a recommendation of the Health and Wellbeing Board that the Council adopt the Swindon Substance Misuse Strategy 2017-2022.

Resolved – That the recommendation of the Health and Wellbeing Board that the Council adopt the Swindon Substance Misuse Strategy 2017-2022, attached to the report at Appendix 2, be accepted.

The reasons for the decision and alternative options are as set out in the report to the meeting.

**93. Amendments to Residents' Parking Schemes**

Councillor Oliver Donachie, the Cabinet Member for the Economy and Skills, and the Corporate Director for Communities and Housing and the Head of Highways and Transport, submitted a joint report seeking authority to amend the Residents' parking scheme that includes the "Town Centre" and the "Old Town Centre" zones to provide a discounted season ticket option for residents to use the long stay car parks.

The report also responded to issues contained in a motion tabled at Council on 25th January 2018 but passed to Cabinet under Standing Order 9(1) because of its financial implications (Council Minute 73, 2017/18 refers).

Resolved – (1) That the Head of Highways and Transport be authorised to:

- a) Amend the Residents Parking Scheme that includes a 'Town Centre zone' & 'Old Town Centre Zone' to enable residents not included in the existing zones and living within this area to purchase a permit to park at any time in the town centre long stay car parks (£299 per year, £150 for 6 months), or park between 6.00pm and 9.00am only (£149 per year); and
  - b) Undertake a review of this change after one year
- (2) That the Cabinet Member for the Economy and Skills be authorised to report this outcome to the next appropriate meeting of Council.

The reasons for the decision and alternative options are as set out in the report to the meeting.

**94. Swindon Borough Council (Southern Connector Road, New Eastern Villages) Compulsory Purchase Order 2018**

Councillor Toby Elliott, the Cabinet Member for Strategic Planning and Sustainability, and the Corporate Director, Resources and Growth, submitted joint report inviting Cabinet to authorise a Compulsory Purchase Order (CPO) to be made in respect of areas of land required for the construction and delivery of the

Southern Connector Road (SCR), New Eastern Villages (NEV).

It was noted that, further to the Cabinet's decision on 16th June 2016 (set out in the report) negotiations were ongoing with various land owners in the NEV and it was considered that it is now necessary to obtain Cabinet's authority for a CPO in the event that purchase by private treaty is unachievable. Without the acquisition of the relevant areas of land it will be impossible to deliver the SCR which is essential highway network infrastructure required to support the delivery of around 8000 houses, and associated employment and community facilities, to be built in the NEV.

Resolved - That, in the event that purchase by private treaty is not achievable, the Director of Law and Democratic Services be authorised, in consultation with the Corporate Director Resources and Growth, the Cabinet Member for Finance and the Cabinet Member for Strategic Planning and Sustainability, to take all steps necessary to secure the making and implementation of a Compulsory Purchase Order under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and/or any other enabling statutory provisions deemed appropriate by him, in order to acquire the areas of land shown shaded pink on the Order Map attached to the report at Appendix 1 and marked "Map referred to in the Swindon Borough Council (Southern Connector Road, New Eastern Villages) Compulsory Purchase Order 2018", ("the CPO Land"), including the publication and service of all statutory notices and the presentation of the Council's case at any public inquiry and courts (if necessary).

The reasons for the decision and alternative options are as set out in the report to the meeting.

## **95. Capital Monitoring Quarter 3 2017-18**

Councillor Russell Holland, the Cabinet Member for Finance and Commercialisation, and the Corporate Director, Resources and Growth, submitted a joint report presenting to Cabinet the third quarter's monitoring position for the capital programme and some proposed changes to the Council's capital programme.

Councillor Jim Grant sought clarification as to why this report was considered in private and confidential session. At the invitation of the Chair, the Deputy Monitoring Officer responded to Councillor Grant's question at the meeting.

Resolved – (1) That the forecast capital expenditure, set out in Table 1 & 2 and Appendix 1 to the report, be noted.

(2) That the changes to the programme in section 3.3 of the report be approved.

(3) That the Head of Property Assets, in consultation with the Cabinet Member for Adults' Health and Social Care and the Cabinet Member for Finance and Commercialisation, be authorised to submit a bid, of up to £4m, to purchase a property for the re-provision of adult residential care, as set out in paragraphs 3.4 to 3.8 of the report.

(4) That an increase to the capital programme to meet the purchase and conversion costs, as set out in paragraph 3.6.5, be approved.

(5) That, in view of Councillor Grant's comments at the meeting, a version of this report, excluding the sole item containing exempt information, be published on the



website alongside the original report.

The reasons for the decision and alternative options are as set out in the report to the meeting.