

## **CABINET**

**WEDNESDAY, 13 JUNE 2018**

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

Councillor Jim Grant attended the meeting in respect of Minutes 4, 8 and 9.  
Councillor Jane Milner-Barry attended the meeting in respect of Minutes 5 and 9.  
Councillor Matthew Courtliff attended the meeting in respect of Minute 8.  
Councillor Bob Wright attended the meeting in respect of Minutes 8, 9, 10 and 12.

### **1. Declarations of Interest.**

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

### **2. Minutes.**

Resolved – That the minutes of the meeting held on 14<sup>th</sup> March 2018, be confirmed and signed as a correct record.

### **3. Public Question Time.**

There were no public questions.

### **4. Councillor Gary Sumner**

Councillor David Renard, the Leader of the Council, welcomed Councillor Sumner to this, his first Cabinet meeting in his capacity as Cabinet Member for Strategic Planning, and wished him every success.

### **5. Budget Management 2017/18**

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance, and the Interim Chief Executive, submitted a joint report presenting the 2017/18 revenue out-turn based on actual expenditure incurred during the financial year ending 31st March 2018.

Councillor Holland referred to the budget underspend achieved in year and thanked officers across the Council for their hard work in respect of that achievement. He also emphasised the importance of continuing that hard work to secure the savings necessary to achieve Swindon Programme objectives.

In response to a question put by Councillor Jim Grant regarding opportunity for the Council to use reduced Housing Revenue Account debt to initiate Council house building, Councillor Cathy Martyn, Cabinet Member for Housing and Public Safety, advised that part of the available “headroom” on the HRA account would be used to support the Queens Drive regeneration project. Councillor David Renard, the

Leader of the Council, assured Councillor Grant that Cabinet would consider any proposals put forward by the other groups on the Council to increase the level of affordable housing in the Borough.

In response to an additional question by Councillor Grant, Councillor Martyn agreed to provide a written response regarding the level of the identified HRA “headroom” that would be used to fund Council house building. Councillor Holland pointed out that the amount (the “headroom”) referred to in the report related to a reduction in debt level and that any funding for increased house building could only be financed through additional borrowing.

Resolved – (1) That the 2017/18 revenue out-turn for each service area, set out in Table 1 and Appendix 1 to the report, be noted.

(2) That the transferred underspend of £97k to the cashflowing reserve be also noted and that the Interim Executive be asked to thank all staff for helping achieve this position.

(3) That the flexible use of capital receipts in 2017/18, as set out in Appendix 2 to the report, be noted.

(4) That it be agreed that the Transformation Fund, set out in paragraph 3.17 of the report, continues to be available to support the delivery of savings identified as part of the Swindon Programme.

(5) That a written response be provided to Councillor Grant regarding the level of the identified HRA “headroom” that might be used to fund Council house building.

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

## **6. Capital Monitoring Outturn 2017/18**

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance, and the Interim Chief Executive, submitted a joint report presenting the final 2017/18 position for the capital programme and some proposed changes to the Council’s capital programme.

Councillor Keith Williams, Cabinet Member for Corporate and Customer Services, responded to a question put by Councillor Jane-Milner Barry regarding the funding to be made available to address the backlog of repair works at Lydiard House and Conference Centre.

Resolved – (1) That the latest 2017/18 Capital Programme position as at financial year end, as detailed in paragraphs 3.1 to 3.4 of the report, be noted.

(2) That the changes to the programme set out in section 3.5 of the report be approved.

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

## **7. Treasury Management Performance 2017/18**

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance, and the Interim Chief Executive, submitted a joint report setting out the Treasury Management performance for 2017/18.

Resolved – That the 2017/18 Treasury Management performance, as detailed at paragraphs 3.1 to 3.17 of the report, and Prudential Indicators, shown at Appendix 1 to the report, be noted.

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

## **8. Motion to Amend Central Residents' Season Ticket**

Councillor Oliver Donachie, the Cabinet Member for Economic Prosperity, and the Corporate Director for Communities and Housing and the Head of Highways and Transport, submitted a joint report setting out the response to a motion at Council regarding issues around the Residents' Parking Season Ticket charge and seeking Cabinet's agreement to make no further amendments to the season ticket scheme at this time. It was noted that, if the report's recommendations were agreed, there would be no discounted season ticket option for residents to use the short stay town centre and Old Town Council Car Parks.

Resolved – (1) That the Head of Highways and Transport be authorised to undertake a review of the current arrangements after 12 months of their operation. (2) That the Cabinet Member for Economic Prosperity be authorised to report this outcome to the next appropriate meeting of Council.

Councillor Brian Ford made a personal, non-prejudicial declaration of interest in respect of Cabinet's consideration of this matter on the grounds that a family member utilised the residents' car parking season ticket provision for this area.

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

## **9. Traffic Management Act 2004 - Enforcement Powers**

Councillor Fionuala Foley, the Cabinet Member for Highways and the Environment, and the Head of Highways and Transport, submitted joint report regarding a motion at Council about the obstruction of pavements by vehicles and the outcome of investigations by officers of the options for tackling the issue of parking on pavements throughout the Borough.

It was noted that officers and Ward Members regularly receive complaints about vehicles obstructing pedestrian dropped kerbs and vehicle crossings and that the Council has the option to take on additional powers under the Traffic Management Act (2004) to deal with this issue.

In response to a question put by Councillor Matthew Courtliff regarding the proposals enforcing only prohibitions of double parking and parking at dropped footways, and not in respect of more general parking obstruction, Councillor Foley advised that such obstruction was a matter for Police enforcement and that it would be inappropriate to require enforcement in such cases to be the responsibility of the Council's parking enforcement officers. She added that residents' views on the more general obstruction issues raised by Councillor Courtliff would be obtained through the proposed consultation and that, as part of the consultation review, appropriate

consideration would be given to options open to the Council.

The Council's Head of Highways and Transport commented on the use of existing legislative powers available to the Council to take action over the inconsiderate parking obstruction of pedestrian dropped kerbs and vehicle crossings and assured the meeting that options to use new legislative provisions to combat more general parking obstruction were kept under review.

Councillor Foley, with Councillor Oliver Donachie, the Cabinet Member for Economy Prosperity, responded to additional questions put by Councillors Jim Grant and Bob Wright regarding:

- The staff resource available to support parking obstruction enforcement
- The responsibilities of the Police in respect of highway obstruction enforcement
- The implications of such enhanced enforcement in areas where residents' car parking is already recognised to be deficient
- The inclusion of problems of parking on grass verges as part of the consultation review.

Resolved – (1) That the Motion at Council on 28 September 2017, regarding obstructions of pavements by vehicles (Minute 35 2017/18 refers), be noted.  
(2) That the Head of Highways and Transport, in consultation with the Cabinet Member for Highways and the Environment, be authorised to (a) arrange consultation with the local community over proposals to enforce prohibitions of double parking and parking at dropped footways, and (b) confirm the start date, duration and closing dates of that consultation.  
(3) That the Head of Highways and Transport, in consultation with the Cabinet Member for Highways and the Environment, be authorised to consider the consultation responses received and, if appropriate, to introduce enforcement powers permitted under sections 85 (prohibition of double parking) and 86 (prohibition of parking on dropped footway) of the Traffic Management Act 2004, in accordance with the delegated authority contained within the Scheme of Delegations 2018/19 (paragraph 147), subject to giving prior public notice of this intention and the date from which it will apply.

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

## **10. Libraries Strategy - Delivery Model**

Councillor Keith Williams, the Cabinet Member for Corporate and Customer Services, and the Corporate Director for Children's Services, submitted a joint report, outlining the main findings from the development of the Business Plan to establish a Public Sector Mutual (PSM) organisation to deliver the Swindon Library Strategy for a comprehensive and efficient Library service and to promote an increase in literacy and learning within communities. The report sought approval for Swindon Library Service (SLS) to move into a period of transition to prepare for becoming a Public Sector Mutual from April 2020.

It was noted that approval of the recommendations of this report would initiate Swindon Library Service and key Council officers carrying out the recommendations in the business plan where appropriate and to work as outlined to prepare the

service to move into a PSM.

Councillor Williams introduced the report and responded to questions put by Councillors Jane Milner-Barry, Bob Wright and Jim Grant regarding:

- The operational mechanism of the PSM to deliver the Swindon Library Strategy.
- The sustainability of the model.
- The possible award route, as outlined in the Business Plan, and the factors to be taken into account in determining the viability of the PSM
- The term of any arrangement.
- The Council's experiences in relation to the outsourcing of services.
- Decision making regarding the future of associated property assets.
- The Council's future funding commitment to a PSM and its aspirations to maintain and improve the library service.

Resolved – That the Head of Library Services, in consultation with the Cabinet Member for Corporate and Customer Services, the Strategic Commissioner, Routes to Employment, the Corporate Director Children Services, the Director of Finance and the Director of Law and Democratic Services, be authorised:

- a) To implement the transition arrangements outlined in the body of the report to prepare the Swindon Library Service for becoming a PSM by April 2020. This includes the development of a SLS Transition Board to advise the Head of Library Services on the implementation arrangements.
- b) To develop the implementation plan to set out the detailed arrangements for the creation of a PSM, including award route for the delivery of the core library services and the treatment of assets, back office costs, charges for services to non-core community-led Library services and staff transfer and pension arrangements.
- c) To allocate up to £100k of one-off resources be earmarked on the Council's Balance Sheet to fund the costs of any necessary financial, legal or technical advice required to support the implementation of the recommendations and the completion of the relevant contractual documentation as set out in paragraph 3.14.9.

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

## **11. Referral from the Scrutiny Committee - Superfast Broadband Extension Programme**

Councillor Oliver Donachie, the Cabinet Member for Economic Prosperity, and the Director of Digital Services & Corporate Programmes, submitted a joint report responding to Minute 61 (2017/18) of the Scrutiny Committee on 12<sup>th</sup> February 2018, referring back to Cabinet for further consideration its decision, responding to Council Minute 81 (2017/18), regarding the work being undertaken to provide superfast broadband to rural parts of the Borough and to update Cabinet on securing ultrafast broadband to support the local economy.

In response to questions put by Councillor Bob Wright, Councillor Donachie, with the Council's Director of Digital Services & Corporate Programmes, advised that, in terms of both customer uptake and its effectiveness as a catalyst for inward investment in fibre deployment across the borough, particularly in the rural areas,

the scheme represented excellent value for money for Swindon residents.

Resolved – (1) That, having due regard to the comments made by Scrutiny Committee at its meeting on 12th February 2018, Cabinet's decision at its meeting on 7th February 2018, as set out in paragraph 3.3 of the report, be re-affirmed.  
(2) That it be noted that, in respect of the project target of 95% coverage of Swindon Borough the scheme has advanced superfast broadband coverage to over 99% and take up by households is in excess of 1100 properties.

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

## **12. Councillors' Allowances 2019/20 - Recommendations of the Independent Remuneration Panel - Minute For Confirmation**

Councillor David Renard, the Leader of the Council, and the Director of Law and Democratic Services, submitted a joint report inviting Cabinet to consider recommendations arising from meetings of the Independent Remuneration Panel on the level of Councillors' Allowances in Swindon for 2019/2020.

It was noted that the Council is required by the Local Authorities (Members Allowances) (England) Regulations 2003 to consider the recommendations of its Independent Remuneration Panel when making decisions relating to its Scheme of Councillors' Allowances. Decisions on the Scheme of Councillors' Allowances require the approval of full Council, which body is not required to adopt all or any of the Panel's recommendations.

Resolved – (1) That the recommendations of the Independent Remuneration Panel on Councillors' Allowances for 2019/2020, as set out in paragraph 3.20 of the report, be accepted and referred to the Council for approval.  
(2) That the Director of Law and Democratic Services be authorised to introduce a revised Councillors' Allowances Scheme for 2019/2020 based on the recommendations of the Independent Remuneration Panel, as approved and adopted by the Council.

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

## **13. References from other Council Bodies - Health and Wellbeing Board**

Councillor Brian Ford, the Cabinet Member for Adults, and the Corporate Director Adult Social Services and Health and Director of Public Health, submitted a joint report regarding recommendations of the Health and Wellbeing Board at its meeting on 28th March 2018, that the Council adopt (a) the finalised Swindon Borough Council Adult Social Care Strategy 2018-2022, and (b) the Prevention Concordat for Better Mental Health in Swindon.

Councillor Ford introduced the report and responded to questions put by Councillor Bob Wright regarding the financial and staffing resources available to effectively support the Prevention Concordat for Better Mental Health in Swindon.

Resolved – That the recommendations of the Health and Wellbeing Board at its

meeting on 28th March 2018, that the Council adopt (a) the finalised Swindon Borough Council Adult Social Care Strategy 2018-2022, and (b) the Prevention Concordat for Better Mental Health in Swindon, be agreed.

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