

## **COUNCIL**

**THURSDAY, 4 APRIL 2019**

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, Claire Crilly, Malcolm Davies, Mark Dempsey, 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, 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, Vera Tomlinson, Chris Watts, Nadine Watts, Peter Watts, Steve Weisinger, Keith Williams, Julie Wright and Robert Wright.

### **92. Apologies for Absence**

The Chief Executive reported that no apologies had been received.

### **93. Retiring Members**

The Worshipful The Mayor reported that Councillors Toby Elliott, Claire Ellis, Fionuala Foley, Mary Friend, John Haines Chris Watts and Julie Wright were not seeking re-election at the forthcoming elections to be held on Thursday 2<sup>nd</sup> May 2019, and on behalf of the Council, thanked those Councillors for their service to the Council and people of Swindon.

The Worshipful The Mayor also wished good luck to all those Members, seeking re-election in the forthcoming elections, regardless of their political party.

### **94. Communications**

The Chief Executive reported that no communications had been received.

### **95. Minutes**

Resolved – That the minutes of the meeting held on 21<sup>st</sup> February 2019, be confirmed and signed.

### **96. Declarations of Interest**

The Mayor reminded Members of the need to declare any known interests in any matters to be considered at the meeting. Councillors Junab Ali, Claire Ellis, Fionuala Foley, Mary Martin, Nick Martin, Brian Mattock, Jane Milner-Barry, Barbara Parry, Kevin Parry, Carol Shelley, Kevin Small, Andy Spry, Gary Sumner, Rahul Tarar and Keith Williams made a prejudicial declaration of interest in respect of Agenda Item No. 7(c) in their capacity as a landlord within the Borough.

**97.**

### **Public Question Time**

Mr John Ranford submitted a written question regarding the production of green energy by the Council and the recording of CO2 omissions. The Leader of the Council indicated that a written response to the questions had been tabled.

Ms Joy Corrigan asked a public question regarding Swindon's ambitions to become plastic free. The Cabinet Member for Corporate and Customer Services responded at the meeting.

Ms Helen Harris asked a public question regarding current and future Council policies to reduce the number of vehicles, especially diesel vehicles, on Swindon's road network and to encourage the use of public transport and sustainable and green forms of journeys by the public. The Cabinet Member for Corporate and Customer Services responded at the meeting.

Mr Tristan Strange asked a public question seeking clarification for the reasons the Council did not support a recent Council Motion asking the Council to support the declaration of a climate emergency. The Leader of the Council responded at the meeting.

**98.**

### **Minute for Confirmation**

Councillor David Renard moved and Councillor Brian Ford seconded:

"That Minute 77 of the Cabinet be confirmed and adopted (Reference from the Health and Wellbeing Board)."

The Motion was put to the vote and declared carried.

**99.**

### **Motion - Changes to Election Cycle**

Councillor David Renard moved and Councillor Matthew Courtliff seconded:

"That this Council:

Notes that:

- Borough Council Elections in Swindon are undertaken 'by thirds'. All councillors are elected for a term of four years, with one third being elected for three consecutive years followed by a fourth 'fallow' year when there are no elections.
- Most wards have three councillors and these are chosen one at a time. This means that voters in a given ward may need to vote three times within four years under the "thirds" system.
- Under the 'Whole Council' elections model, all seats are up for election in the same year, with elections only taking place once every four years.

Recognises that:

- Councils can resolve to change their cycle subject to complying with certain conditions. These conditions include undertaking a consultation, convening a special meeting of Council to consider the matter, and a two-thirds majority of members in attendance being required to pass the resolution.

Requests that:

- A consultation exercise be commenced immediately to explore the merits of the two systems.
- An All Party Group of Members be established to oversee the consultation with residents, businesses and partner agencies.
- An Extraordinary Council Meeting takes place following consultation in the new municipal year to formally consider the findings of the consultation and to put forward a proposal based on the recommendations of the All Party Working Group.”

The Motion was put to the vote and declared carried.

#### **100. Motion - Fly Tipping**

Councillor Barbara Parry moved and Councillor Cathy Martyn seconded:

“Council notes that:-

1. Fly-tipping is defined as the ‘illegal deposit of any waste onto land that does not have a licence to accept it’.
2. Between April 2018 and February 2019, 46.64 tonnes of fly tipped waste was removed during 2,250 separate incidents costing the Council taxpayer approximately £6,000 in disposal costs only per incident (i.e. this does not include collection costs).

Council Recognises that:

1. Fly-tipping causes damage to Swindon’s natural environment and wildlife
2. It needs to be easy for people to do the right thing otherwise we will see an increase in fly-tipping.
3. “Your rubbish means YOUR rubbish - it's your responsibility and that doesn't change when you hire someone to take it away for you. If they dispose of it illegally it remains your responsibility”
4. The Council has already embarked on a programme of education and awareness around individual responsibility in a number of ‘hot-spots’ around the town.

Council requests that the Cabinet Member for Highways and the Environment:

1. Prepares a Cabinet Report that considers:

- Investing in further CCTV and automatic number plate recognition technology (ANPR) to help police fly tipping hotspots.
- Working towards removing all fly tipped waste, whether hazardous or non-hazardous, in line with Government recommendations.
- Committing to taking enforcement action against **all** those identified who dump rubbish in this way, without exception.”

The Motion was put to the vote and declared carried.

## **101. Motion - End Section 21 Evictions**

Councillor Emma Bushell moved and Councillor Paulk Dixon seconded:

“This Council notes that:

- Most of England’s 11 million renters are on tenancies with fixed terms of six months or a year. After this period has ended landlords can evict their tenants with just two months’ notice, without giving a reason. These ‘no fault evictions’ were introduced under Section 21 of the 1988 Housing Act.
- The role of Section 21 ‘no fault evictions’ in causing homelessness, which in turn places a financial burden on local authorities in terms of temporary accommodation costs.
- 80% of evictions are on no-fault grounds and 63% of private renters who were forced to move in 2016 were evicted not due to any fault of their own but because the landlord wanted to sell or use the property.
- In 2017, the Scottish government made tenancies indefinite and banned no-fault evictions under the terms of the Private Housing (Tenancies) (Scotland) Act 2016.
- Cambridge Croydon, Brent, Southwark and Lewisham councils have all agreed motions to abolish Section 21 no-fault evictions with cross-party support.

This Council believes:

- Insecurity harms quality of life for tenants and that the threat of being evicted gives landlords huge power over tenants, who may decide not to complain about disrepair, big rent increases or other problems in case they are evicted.
- Removing the leading causes of homelessness should be a priority.
- Abolishing Section 21 no-fault evictions would help to make renting more secure, improve standards and increase tenant confidence and halt the rising homelessness in Swindon.

This Council requests:

- That the Cabinet Member for Housing and Public Safety bring a report to the next Adults' Health, Adults' Care and Housing Overview and Scrutiny Committee reporting on the proportion of homelessness cases caused by private sector evictions in Swindon.
- To write to Swindon's two MPs and the Minister for Housing urging them to abolish Section 21 no-fault evictions."

The Motion was put to the vote and declared carried.

(Councillors Junab Ali, Claire Ellis, Fionuala Foley, Mary Martin, Nick Martin, Brian Mattock, Jane Milner-Barry, Barbara Parry, Kevin Parry, Carol Shelley, Kevin Small, Andy Spry, Gary Sumner, Rahul Tarar and Keith Williams made prejudicial declarations of interest in respect of this item, in their capacity as a landlord within the Borough, and left the room during its discussion.)

In the absence of the Worshipful The Mayor Councillor Steve Allsopp took the Chair during the discussion of this item.

#### **102. Indicative Calendar of Meetings 2019/20 and 2020/21**

Councillor David Renard moved and Councillor Russell Holland seconded:

"(1) That that the Indicative Timetable of Meetings for 2019/20 and 2020/21 as set out in Appendix 1 and Appendix 2 be approved for formal adoption by Annual Council, with the provisions that:

(2) In accordance with current practice, Annual Council will be asked to authorise the Interim Director of Law, in consultation with the Leader of the Council, to vary the dates for meetings of the Council, the Cabinet, Committees and Other Swindon Borough Council bodies should this prove necessary for the efficient discharge of Council business."

The Motion was put to the vote and declared carried.

#### **103. Minutes of Cabinet and Decisions Delegated to Cabinet Members**

The Council considered (a) the minutes of the meeting of the Cabinet held on 20<sup>th</sup> March 2019, (b) questions to the Cabinet Members regarding their portfolio responsibilities and answers received, and (c) Cabinet Member Decision Notices.

#### **104. 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.

**105.**

**Councillors Question Time**

The Interim Director of Law reported that a Standing Order 15 Question had been received from Councillor Bob Wright regarding the use of pesticides on Council land.