

CABINET

WEDNESDAY, 10 MARCH 2010

PRESENT:- Councillors Roderick Bluh (Chair), Fionuala Foley (Vice-Chair), Mark Edwards, Peter Greenhalgh, Colin Lovell, Brian Mattock, Garry Perkins, David Renard, Keith Williams and Philip Young.

Councillors Peter Mallinson, Derique Montaut, Steve Wakefield and Robert Wright attended the meeting in respect of Minute 108.

104. **Declarations of Interest**

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

105. **Minutes**

Resolved – That the minutes of the meeting held on 10th February 2010, be confirmed and signed as a correct record.

106. **Public Question Time**

The following questions were asked in accordance with Standing Order 28.

Questioner

Mr. Brian Cockbill, Stratton St. Margaret, Swindon.

Can I refer to the site meeting that was held at the Mechanics' Institute on 30th October 2008, which was attended by 3 Borough Council officers (Minute 90 of Cabinet, Wednesday 21st January 2009 refers) –

- (1) What was the purpose of this visit and why were no notes taken about the event?
- (2) At that time were any of the hazards apparent that are identified at Section 1.4 Immediate Concerns and Health and Safety Issues in the Statement of Urgent Works Report dated 28th September 2009; and in particular to “These are possible non-compliant with HSE regulations and guidelines, Swindon Borough Council environmental health policies and legislation and Building Regulations”?
- (3) If they were what steps did those officers take to draw to the attention of the appropriate authorities these matters?
- (4) If they were not, are we to believe that the conditions which led to the Fire Safety Officer calling in the Health and Safety Executive arose after 30th October 2008 but before the surveys carried out by on 6th and 7th May 2009 by Survey Team appointed by Swindon Borough Council (Fielding Clegg Bradley report Section 1.2)?

- (5) What officers were involved in 2002 when the decision not to issue an Urgent Works Notice for the Mechanics' Institute because of assurances given by the new owner?
- (6) Were elected members ever informed that officers had accepted these assurances and had decided to withhold serving the notice in 2002 or subsequently?
- (7) What were the assurances given and were they in writing?
- (8) Did the assurance given only refer to work in the area of the building for which the planning permission was granted?
- (9) Specifically did the assurance that was accepted cover every part of the identified Urgent Works report dated February 2002?
- (10) Is it correct that English Heritage (EH) have agreed to part fund the issue of the Urgent Works Notice served on the owner of the Mechanics' Institute in December 2009?
- (11) If so, what date was this confirmed by EH, and do the standard conditions of EH for such grants apply?

Response

The Chair advised that, as Mr. Cockbill was unable to attend the meeting to present these questions, he would arrange for a written response to be sent and for the questions and the Cabinet's response to appear in the minutes of the meeting.

Question 1 - The visit on 30th October 2008 was an initial 'fact finding' visit. The visit was cautious as the Council was seeking to maintain positive relations with the owner. No photographs were taken for example. This was a pre visit to those to monitor the planning applications. Appropriate precautions were undertaken (as with any site visit). Indeed recent site visits have been with the Council's Health and Safety Officer in attendance. It is the Cabinet's understanding that the Council was liaising with the Health and Safety Executive (HSE) regarding its concerns when the HSE took the initiative to visit and serve notice on the owner. Site visits relating to a planning application would not require officers to report on urgent works issues.

Question 2 - The Council's Conservation Officer has been in contact with the Fire Authority. In 2007 she highlighted the risk of arson because the property was vacant and ease of access could put the building at risk. The Cabinet is aware that the Fire Service has also recently served notice to the owner.

Question 3 - Whilst the Council has been in contact with the appropriate safety organisations they work independently to the Council and under their own legislative provisions. The Council has tried to ensure that it works collaboratively with these agencies.

Question 4 - The concerns raised by the Fire Officer relate to the recent period of activity and have been conducted independently of the Council. The Fire

Officer has kept the Council informed at all times. The Cabinet believes that the current HSE notices relate to working practices and internal safety.

Question 5 - The Council has no detailed record available of the decision made in 2002. The Council no longer employs the officers responsible for making that decision. My understanding is that the preparation of the Notice precipitated the sale of the building and the new owner immediately commenced repair work. That this original good intent has not been followed through more recently is the reason for the current notice.

Question 6 - That the Notice was not served in 2002 is now a matter of record. That the owner has undertaken extensive repairs to the south side is also a matter of physical record. The officers at the time would have needed to weigh the costs and benefits of serving a Notice relative to achieving a wider and more comprehensive improvement through negotiation. From 2002 until very recently it was the Cabinet's and the Director of Planning and Transport's view that the negotiated approach appeared to be vindicated. A new Notice has now been served demonstrating that the Council can and will act in the best interests of preserving the building.

Question 7 - The 2002 Notice was not served. At the same time the owner took almost immediate action to instigate repairs. He continued to take action until recently. The Council has a record of action through the repairs and works to the south side of the building.

Question 8 - The Council's concern is for the whole of the building when progress to the North ceased and it became apparent that the North Side was being neglected the Council served notice.

Question 9 - The Urgent Works Notice of 2002 was never served.

Question 10 - There is provision for the Council to "draw down" grant from English Heritage to help with the works.

Question 11 - No grant has been awarded at this time, although an offer in principle has been agreed. The Council will have to comply with whatever conditions are attached to a grant. These are being discussed at present.

Questioner

Mr. Basil Jones, Old Town, Swindon.

I note from paragraphs 2.37 and 2.38 of Agenda Item 11 – Loan Advance to Digital City (UK) Limited, that Measure 3 stated that at least 100 private use packages should be sold by the end of Quarter 1 and Measure 4 that at least 25 business packages sold by the end of that quarter. How many have been sold?

Response

The Chair thanked Mr. Jones for his question. He advised that the report made reference to the fact that Digital City had faced both practical and weather related problems that had impacted on their performance and the physical implementation of the project since the Council had agreed to make the loan. This had delayed the marketing of the product in Highworth, and leafleting to households

had only been completed on 28th February. As again referred to in the report, it was also now recognised that Highworth was not the ideal location to target business take up at the rate envisaged. The plan had originally been to pilot the project in Swindon Town Centre where the take up target in the time scale envisaged was far more practical. He asked the Group Director, Business Transformation to advise on the latest figures for packages sold. The Group Director advised that nine private usage packages and two business packages had been sold to date. There had been nine hundred expressions of interest and five hundred residents had signed up to the free service. The majority of the expressions of interest had come in as a result of the very recently completed leafleting exercise in the last two weeks.

Questioner

Mr. Geoff Reid, Swindon.

Have Cabinet Members received advice in writing or otherwise from the Director of Law and Democratic Services regarding the decisions that they are asked to make tonight regarding Agenda Item 11 – Loan Advance to Digital City (UK) Limited, and particularly on the delegation to two Councillors to authorise the release of the second phase of the loan to Digital City (UK) Limited? Is the Cabinet happy for the Leader of the Council and a Cabinet Member to make such a decision rather than the Council?

Response

The Chair thanked Mr. Reid for his questions. He asked the Director of Law and Democratic Services to respond. The Director explained that he had provided no specific written advice to Cabinet Members. He had in accordance with the Council's usual procedures commented on the draft report as it had been prepared prior to publication. He had also responded to queries from Cabinet Members and other Councillors regarding the report but had given no formal advice. He advised that it was proposed and recommended that the Council's Chief Executive would make the decision on the release of the second phase of the loan, not Councillors. In accordance with usual Council practice, this decision would be made following consultation with the relevant Councillors, in this case the Leader of the Council and the Cabinet Member for Finance and Benefits.

107. 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 Agenda Item 13 on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned. (Minute 115 refers.)

108. Loan Advance to Digital City (UK) Ltd.

The Leader of the Council, the Cabinet Member for Finance and Benefits, the Director of Finance and the Director of Law and Democratic Services submitted a joint report concerning the release of the second phase of a Council loan to Digital City (UK) Limited, based on the progress made to date of the project, and subject to a number of conditions.

The Chair referred to the loan to Digital City (UK) Limited, and to the progress of the exciting and innovative project to bring WiFi to the Borough. He referred to the practical benefits that the project would bring, particularly to local businesses, other public sector organisations and voluntary and community groups, as well as for local residents. He commented on the financial constraints and budget pressures facing all local authorities and, in particular, Swindon Council, and on how it was vital to identify new sources of funding if services were to be maintained and developed. The WiFi project would not only deliver practical benefits for the Council, like other organisations and businesses, in terms of improved information technology links and reduced costs, it also provided the opportunity for the Council to receive a significant income from this commercial venture as a result of the commercial loan agreement. Whilst it was recognised that there was a risk in a local authority entering into such a commercial agreement this risk had been carefully assessed and mitigating actions taken so that risk was controlled. He believed that this type of venture would become more common in all local authorities as the pressure on council finances increased. He explained that only four out of the nineteen target measures contained within the agreement had not been met and the outcomes were 97% complete. He believed the proposal to release the second phase of the loan at this stage was in the Council's best interests as highlighted by the joint report. He referred to the reasons for recommending a change to two specific outcome targets and drew attention to the intention to undertake a further planned risk assessment of the revised 'Forward Business Plan' with Digital City (UK) Limited, to ensure that this now reflected commercial, technical and marketing learning from the Highworth pilot project.

Councillor Derique Montaut, Leader of the Opposition and Chair of Scrutiny Committee, referred to his group's support for the WiFi project. However, he still retained concerns at the way in which the loan had been made in the first place. He thanked the Chair for ensuring that this report had been brought to the Cabinet enabling all Councillors and the public access to the proposals. He expressed surprise that at such an early stage in the loan agreement a request was already being made to release money in advance of performance targets being met, and which sought to amend outcome targets already set. He asked for an assurance that there would be no further changes to the Digital City Loan conditions. He referred to the review of the loan to Digital City (UK) Limited by the Audit Committee and suggested that it would be appropriate to await the outcome of that review before making any further decisions that impacted on the loan agreement.

The Chair welcomed the Labour Group's support for the WiFi project, but was disappointed by negative statements made to the media by the Leader of the Opposition and other members of his group that risked, through negative publicity, jeopardising the success of this innovative project. As Councillor Montaut was aware, in view of some of the comments made regarding the process adopted for approving the loan, the issue of how similar commercially sensitive schemes should be dealt with in the future was actively being discussed within the Council through the Corporate Governance Working Party of which he was a member. He hoped that the Council could move on from the continuing discussion of the internal Council process adopted to approve the loan to discussions around the delivery of this exciting project. He advised that the report clearly set out the reasons and circumstances leading to the request for a change in the loan agreement and that it also set out the steps that the Council would take to protect its investment. He did not believe it was necessary to await the outcome of the Audit Committee review

that was to look at the best value aspect of the loan agreement for the project.

Councillor Robert (Bob) Wright asked whether a street where residents had health concerns regarding the WiFi project, could ask to be excluded from the project / network, and whether a household with similar health concerns could ask for WiFi equipment not to be located directly adjacent to their home? He also commented on the limited take up of business packages and the implications of this for the project. He enquired whether the work being undertaken by Swindon Commercial Services Ltd. (SCS) was included within the loan agreement or being funded by the Council?

The Chair advised that he would ensure Councillor Wright received a written response from the Group Director, Business Transformation on these matters. He asked Councillor Peter Mallinson, Chair of the Health Scrutiny Committee, to comment on that Committee's findings on health risks associated with WiFi.

Councillor Mallinson commented on the discussions that had taken place at the Health Scrutiny Committee and that it was clear from the information currently available that the general view was that health risks from WiFi were not significant.

The Chair commented on the benefits for the business community of the project. He reiterated that it was recognised that there had been delays in moving the project forward to the implementation stage because of weather and other problems, and that Highworth was not the ideal location for business sector sales at the pilot stage. However, he still believed the project would prove popular with local business as the network expanded. He confirmed that the work that Swindon Commercial Services Ltd. (SCS) was undertaking was funded from within the loan agreement.

Councillor Steve Wakefield commented on the revised recommendations being suggested by the Cabinet, which he supported. He referred to the benefits of the WiFi project and to its implications for CCTV coverage within Swindon.

Councillor Peter Greenhalgh Cabinet Member for Sustainability, Transport and Strategic Planning, explained that the benefits to the Council in terms of CCTV were not related to increasing surveillance, but rather to the ability to provide a robust CCTV and monitoring framework for its existing systems. Currently this was not achievable with existing technologies because of the technical and cost implications. He welcomed the project and the benefits that it would bring. He referred to recent statements made regarding the position of the Group Director, Business Transformation on the Board of Digital City (UK) Limited and asked that the position be clarified, including whether Mr. Patel received any remuneration in that regard.

The Cabinet were advised that under the loan arrangements, the Group Director, Business Transformation would represent the Council at meetings of the Board of Digital City (UK) Limited and that he received no remuneration from the company. It was confirmed that the Special Committee was likely to be asked to make an appointment to serve on the Board in the near future. The Chair reiterated his support for the Digital City project and to the significant benefits that a successful project would bring to Swindon and to the Council.

Resolved – (1) That approval be given to the variation to four out of the

nineteen Highworth progress measures that form part of the terms of the October 2009 agreement with Digital City (UK) Limited, as set out in paragraphs 2.3.2 and 2.3.5 of the joint report, and to the deletion of measures 3 and 4 as set out in paragraphs 2.3.7 and 2.3.8 of that report, and their replacement with the following words “£50,000 of the final loan be withheld until the original level of sales, of at least 100 private use packages, has been achieved”.

(2) That the Group Director, Business Transformation, the Director of Finance and the Director of Law and Democratic Services be authorised to undertake the planned risk assessment of Digital City (UK) Limited’s revised forward business plan, as referred to in paragraph 2.5 of the joint report.

(3) That the Chief Executive, in consultation with the Leader of the Council and the Cabinet Member for Finance and Benefits, and subject to him being satisfied that the assessment of the forward business plan has highlighted no critical risks, authorise the Director of Finance to make available the second phase of the loan to Digital City (UK) Limited based on the progress made to date, whilst noting that £50,000 of the final loan will be withheld until 100 private use packages have been sold in compliance with the decision in (1) above.

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

109. Revenue Budget Management 2009/10

The Cabinet Member for Finance and Benefits and the Director of Finance submitted a joint report setting out the 2009/10 Revenue forecast outturn for the Council’s Budget as at the end of January 2010, including emerging issues and activity data since the last Monitoring Report had been published.

Councillor Mark Edwards, Cabinet Member for Finance and Benefits, referred to the current forecast position of the Council’s Revenue Budget. He explained the ongoing financial challenges facing the Council, and the action taken by the Chief Executive and Group Directors to ensure that the Council achieved a balanced budget at the end of the Financial Year. He referred to the identified overspend and ongoing budget pressures particularly in Adult Social Care. He commented on the strenuous efforts that had been made to review each budget head within Adult Social Care, enabling the Council to now be confident that it was in a better position to accurately control budgets and respond to budget pressures in that area. He confirmed that efforts would continue across the Council to ensure that a balanced budget for 2009/10 was delivered, and that the Council was in a strong position to meet the challenges it would face in delivering the 2010/11 Budget.

Resolved – (1) That the projected outturn for the Revenue Budget and the proposed mitigating actions, as set out in Table 1 to the joint report, be noted and approved.

(2) That the Cabinet express its appreciation to the Director of Finance, the Finance Teams and, in particular, the staff within Adult Social Care for their valuable work in assisting the Council to ensure that a balanced Budget for 2009/10 is delivered.

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

110. Forward Strategy for Delivering Economic Development and Regeneration in Swindon

The Cabinet Member for Culture, Regeneration and Economic Development and the Chief Executive submitted a joint report concerning the progress made towards the proposed establishment of a new “arms length Borough wide delivery vehicle” able to deliver regeneration, place marketing, economic development, inward investment and cultural development in Swindon (Minute 72 refers), and setting out the proposed key principles and terms to underpin the working arrangements for the proposed new company to be known as “Forward Swindon Limited” (FSL), and the associated implementation plan that would bring it into operation from 1st April 2010.

Councillor Philip Young, Cabinet Member for Culture, Regeneration and Economic Development, referred to the benefits that the proposed new company would bring to the regeneration of Swindon and the reasons for establishing it as an arms length company. He commented on the way in which the Council had worked in partnership with the Home and Communities Agency and the South West of England Regional Development Agency to arrive at a solution that ensured investment in Swindon and a new delivery vehicle to focus and drive regeneration in the Town Centre and across the Borough.

Resolved – (1) That the “Heads of Terms” agreed with the Homes and Communities Agency and the South West of England Regional Development Agency in which they commit themselves to assist financially and otherwise, with the transfer of undertakings from The New Swindon Company to Forward Swindon Limited (FSL) and the winding down of The New Swindon Company’s operations, be noted.

(2) That the Director of Law and Democratic Services be authorised to establish Forward Swindon Limited (FSL) as a company limited by shares, with the Council as sole shareholder, on the basis set out in the joint report.

(3) That the Chief Executive and the Cabinet Member with portfolio responsibility for Economic Development and Regeneration be appointed as Directors of Forward Swindon Limited (FSL).

(4) That the Deputy Chief Executive of the Council, in consultation with the Shareholder Panel, be authorised to manage the relationship with, and the annual financing of Forward Swindon Limited (FSL), as set out in Appendix 4 of the joint report.

(5) That the Director of Law and Democratic Services, in consultation with the Deputy Chief Executive, the Director of Finance, the Director of Human Resources and Change and the Cabinet Member for Culture, Regeneration and Economic Development, be authorised to complete any necessary documentation on such terms as he considers necessary to give effect to the matters set out in this report and in accordance with the following principles:

Governance arrangements

- To confirm that Swindon Borough Council indemnify their representatives on the Forward Swindon Limited (FSL) Board in respect of their actions or omissions arising from the powers conferred or duties placed upon them to the extent permitted by law and to secure insurance cover in respect of this Indemnity.

SBC Client arrangements

- To approve membership, purpose and operating arrangements for the proposed team, Investment Panel and Shareholder Panel, as set out in paragraph 2.4 of the joint report.

Transfer of Undertakings

- To approve the transfer of the undertakings specified in Schedule 4 from Swindon Borough Council, The New Swindon Company and the Cultural Partnership Limited, together with the relevant employees, to Forward Swindon Limited (FSL).

Finance arrangements

- To approve the funding arrangements for Forward Swindon Limited (FSL), as identified in paragraphs 2.1.1 to 2.1.8 of the joint report.

The New Swindon Company and the Cultural Partnership Limited

- To agree to the winding down of The New Swindon Company's operations, subject to agreement with the other stakeholders and the terms regarding final invoicing, as set out in the joint report, and the winding down of Cultural Partnership Limited.

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

111. Outcome of Pre-Statutory Consultation on the Proposed Permanent Expansion of Drove Primary School, Swindon

The Cabinet Member for Children's Services and Group Director, Children submitted a joint report concerning the outcome of pre-statutory consultation on proposals to expand permanently Drove Primary School, Swindon.

Councillor Garry Perkins, Cabinet Member for Children's Services explained the necessity for the proposed expansion as a result of increasing pressures on school places in the central and Old Town areas of Swindon. He referred to the high level of support expressed for the proposal, which he believed would result in benefits for all children in the area.

Resolved – (1) That the responses received to the pre-statutory consultation carried out on the proposals to expand permanently Drove Primary School, Swindon, as set out in Appendix 2 and paragraphs 2.8 to 2.10 of the joint report, be noted.

(2) That the Group Director, Children be authorised to publish statutory proposals to expand permanently Drove Primary School, Swindon, by 210 places (one form of entry) from September 2011.

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

112. Connecting People Connecting Places

The Cabinet Member for Connecting People, Connecting Places and the Deputy Chief Executive submitted a joint report reviewing the operation of the Connecting People, Connecting Places initiative and the progress made during

2009/10.

Councillor Brian Mattock, Cabinet Member for Connecting People, Connecting Places, commented on the success of the initiative and the lessons that had been learned in the ten months of its operation. He highlighted the different rates of development of the Cluster areas and referred to the significant achievements that had been made. He reminded Cabinet colleagues that it was always envisaged the Clusters would develop in different ways and to different time scales in order to reflect the nature of the different communities they served and different issues they faced. He believed that with the continuing commitment of the Council, the Cluster Leads and Cluster Chairs, significant progress would continue to be made, building on the strengths of successes and learning lessons from less successful outcomes.

Councillor David Renard, Cabinet Member for Health, Housing and Adult Social Care, asked about the level of engagement of the parish councils with the Connecting People, Connecting Places initiative. Councillor Mattock commented that whilst the parishes had originally had concerns regarding the initiative, he believed there were signs of a greater understanding regarding the aims of the initiative and of how parishes could be actively involved. He referred to the liaison undertaken with the parishes collectively and individually and to the positive progress that was being made.

Resolved – (1) That the progress made by, and the learning acquired from, Connecting People, Connecting Places during 2009/10, be noted.

(2) That the Deputy Chief Executive, in consultation with the Cabinet Member for Connecting People, Connecting Places, be authorised to continue to lead the development and delivery of Connecting People Connecting Places.

(3) That the continuation of the seven Cluster Lead roles for the duration of the 2010/11 Municipal Year be approved.

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

113. Adult Learning Plan (Minute for Confirmation)

The Cabinet Member for Children's Services, the Group Director, Environment Regeneration and Community, and the Director of Partnership, Policy and Performance submitted a joint report setting out the Adult Learning Plan for the 2009/10 Academic Year, and detailing the changes proposed for the 2010/11 Academic Year.

Councillor Garry Perkins, Cabinet Member for Children's Services referred to the importance of adult and community learning and the key issues addressed in the Adult Learning Plan. He explained the benefits that came out of adult and community learning and particularly how family learning initiatives impacted across many of the areas within his portfolio. He commented on the changes currently affecting adult and community learning and how these would be reflected in future arrangements and Plans. The demise of the Learning and Skills Council and its replacement with a number of new agencies and funding streams would complicate work in this area, and there remained some concern at future funding following the end of the guaranteed three-year period. However, the Council was seeking to engage with the new agencies and continuing to try to identify new sources of

income to support initiatives.

Resolved – (1) That the Council be recommended to approve the Adult Learning Plan for the Academic Year 2009/10, as set out in the Appendix to the joint report.

(2) That the changes proposed for the Adult Learning Plan and for adult and community learning for the 2010/11 Academic Year, be noted.

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

114. An Update on the Pay and Grading Review and Allowances Policy

The Deputy Leader of the Council and the Director of Human Resources and Change provided an update on the progress of the implementation of the Pay and Grading Review across the Borough Council, and highlighted the further work being undertaken under delegated authority in connection with the associated Allowances Policy and the issues that had arisen.

The Director of Human Resources and Change explained that, in accordance with Minute 90 (2), which had authorised him, in consultation with the Deputy Leader of the Council and the Director of Finance, to consult on and then make and implement such changes to the Pay and Grading Allowances Policy as he considered appropriate, he had been meeting with the Trades Unions to address a number of trade dispute notices formally raised with the Council. The majority of these disputes concerned issues of allowances. This was not unusual as a result of the outcomes of a review of this type.

Councillor Fionuala Foley, Deputy Leader of the Council, referred to the issues that had arisen in respect of allowances, and to the negotiations that were continuing to take place with Managers, staff and the trade unions to seek to identify outcomes acceptable to all parties. She asked the Managing Director of Swindon Commercial Services Limited (SCS), to provide an update on the negotiations taking place regarding company staff. The Managing Director advised that good progress was being made, but that it was likely that different outcomes were likely to arise for staff of the arms length company and for Council staff.

Councillor Foley referred to a proposal to postpone the implementation of the revised Allowances Policy for up to three months to enable further negotiations to take place. The trade unions had indicated that if such an agreement were reached they would also commit to not undertaking industrial action during this period.

Resolved – (1) That the verbal report of the Director of Human Resources and Change be noted.

(2) That the Director of Human Resources and Change be authorised to suspend implementation of those parts of the Allowances Policy that he is unable to reach agreement with the trade unions on for a period up to 30th June 2010 to give further time for constructive discussions with the trade unions.

(3) That the Director of Human Resources and Change be authorised, in consultation with the Deputy Leader of the Council and the Director of Finance, to make necessary changes to the proposals agreed by the Cabinet and contained in the report to the Cabinet on 18th November 2009 on Single Status (Minute 60 refers), as a result of the outcome of negotiations with the trade unions.

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

115. Regeneration of the Shopping Centre at The Circle, Pinehurst, Swindon.

The Cabinet Member for Health, Housing and Adult Social Care and the Group Director, Housing and Social Care submitted a joint report concerning proposals for the regeneration of the shopping centre at The Circle, Pinehurst, Swindon.

Councillor David Renard, Cabinet Member for Health, Housing and Adult Social Care, referred to the proposals for the regeneration of the shopping centre at The Circle, Pinehurst, Swindon, and to the benefits that this regeneration would bring to local residents and the community. This would be the seventh regeneration scheme of this type brought forward by the Council and all, when completed, would deliver real improvements and benefits to the communities they were part of and served.

Resolved –That, in respect of the Council owned land at The Circle, Pinehurst, Swindon, as shown edged black on the plan at Appendix 1 to the joint report, the Director of Housing and Leisure be authorised to -

- work and consult with local ward members and the Pinehurst community to help design a scheme that will contribute to breathing new life back into the shopping centre at The Circle, Pinehurst;
- undertake the enabling actions set out below to progress the scheme and engage the local community in shaping the improvements in order to regenerate the shopping centre at The Circle, Pinehurst as detailed below:
 - work with the local community and Swindon Commercial Services Ltd. (SCS) to produce an indicative scheme and to submit a planning application to establish the principle and scope of redevelopment for a comprehensive regeneration of the site as part of the core basket of works.
 - in consultation with the Head of Property and the Director of Planning and Transport to undertake a marketing exercise to identify and secure potential new tenants for the proposed new retail units.
 - appoint external property advisors as necessary to assist in the marketing exercise.
 - following the marketing exercise, and in consultation with the Squares Regeneration Project Board, to produce a development contract with Swindon Commercial Services Ltd. (SCS) to design and build an agreed scheme.
 - issue a Demolition Notice in respect of the Council owned residential property within the scheme area.
 - ensure that all future allocations to the existing residential property

within the scheme area are given on a temporary basis only and priority be given to the existing secure tenant to transfer them to a suitable alternative dwelling and to make any necessary statutory payments to them in respect to such relocation.

- subject to the agreement of a scheme, the granting of planning permission, and the securing of pre-lets of the proposed new shops, to enter into the necessary borrowing arrangements to finance the scheme.
- confirm that, subject to a formal resolution by the Cabinet to make a Compulsory Purchase Order, the Council is minded to use compulsory purchase powers to secure all necessary land and property interests to secure the redevelopment of the area.
- request the Director of Law and Democratic Services to serve all necessary notices and complete all necessary documentation, on such detailed terms and conditions to be determined by the Director of Law and Democratic Services and the Head of Property in consultation with the Director of Housing and Leisure, in order to progress the scheme and to protect the Council's interests.

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