

## **CABINET**

**WEDNESDAY, 1 JULY 2020**

PRESENT:- Councillors David Renard (Chair), Brian Ford, Dale Heenan, Russell Holland, Robert Jandy, Mary Martin, Cathy Martyn, Maureen Penny, Gary Sumner and Keith Williams

Councillor Jim Grant attended the meeting regrading Minutes 5, 6, 9, and 13.  
Councillor Bob Wright attended the meeting Minutes 6, 8, 9, 10, and 13.

### **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. Councillor Robert Jandy**

Councillor David Renard, the Leader of the Council, welcomed Councillor Jandy to his first Cabinet meeting in his capacity as Cabinet Member for Organisational Excellence and wished him every success.

### **3. Minutes.**

Resolved – That the minutes of the meeting held on 7<sup>th</sup> May 2020 be confirmed and signed as a correct record.

### **4. Public Question Time.**

Ms Trisha Philpot, West Swindon Parish Councillor, submitted a question concerning the timing of the introduction of school safety measures. Councillor Maureen Penny, Cabinet Member for Highways, Maintenance, and Waste Service said a written response had been provided.

Mr Roy Worman, North Swindon Resident, submitted two questions regarding the costs of working with a partner organisation and landfill costs. Councillor Maureen Penny, Cabinet Member for Highways, Maintenance, and Waste Service said a written response had been provided. Mr Worman asked a supplementary question about environmental costs, to which Councillor Keith Williams, Cabinet Member for Climate Change undertook to provide a written answer. Mr Worman asked a further question about the StreetSmart costs to which the Director of Operations, the Councillor Holland: Cabinet Member for Commercialisation, Education, and Skills and Councillor Williams responded at the meeting.

### **5. Swindon Borough Council Covid-19 Response**

The Leader of the Council and the Chief Executive submitted a joint report setting out the actions the Council is taking to recover from the impacts of the Covid-19 pandemic. The joint report also set out how Council had maintained the majority of

its services during the Response Phase with increased use of technology and flexible working practices allowing essential services to be provided. The Recovery Plan also addressed how the Council will seek to learn lessons from this unprecedented event and identify opportunities to re-shape the way the Council delivers services to residents.

The Leader of the Council emphasised the importance of restarting the economy and preserving jobs along with undertaking to provide regular updates to subsequent Cabinet meetings. Councillor Jim Grant asked a series of questions about whether the administration would form a cross-party working group to develop plans as well as how non-executive Councillors could contribute to their development. The Leader of the Council and Councillor Dale Heenan – Cabinet Member for the Town Centre, Culture and Heritage – responded at the meeting.

Resolved: (1) That the Covid-19 Recovery Plan (attached at Appendix One to the main report), be approved and that it be noted that the Recovery Plan will run in parallel with the formal response.

(2) That the Chief Executive in consultation with the Leader of the Council be authorised to implement the measures set out in the Recovery Plan.

(3) That it be noted that the Council remains in emergency response and that the Recovery Plan will run in parallel until the point of formal handover from the Strategic Coordinating Group (SCG) as directed by Central Government.

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

## **6. Budget Management Update (July)**

The Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills along with the Corporate Director of Finance and Assets submitted a joint report presenting the provisional revenue position for 2019/20, subject to audit by Grant Thornton, the Council's external auditors.

The Deputy Leader thanked officers and fellow Cabinet Members for delivering an underspend in the 2019/20 financial year. Councillor Holland summarised the financial effects of the Covid-19 pandemic so far with both higher costs and lower revenue. He advised Members that the Corporate Director of Finance and Assets (Section 151 Officer) did not consider that he would have to issue a Section 114 Notice that the Council was financially unsustainable at this time; however, this was a matter for the Section 151 Officer's professional judgement for the future.

Councillors Jim Grant and Bob Wright asked a series of questions covering:

- What lobbying the Council was undertaking to secure additional government funding to cover the anticipated shortfall.
- Whether the Section 151 Officer could bring a report to Council to set out what a Section 114 notice and the circumstances in which it could be used.
- What degree of confidence the Cabinet Member and Corporate Director had in managing the budget deficit.

The Leader of the Council, Councillor Holland, and the Corporate Director of Finance and Assets responded at the meeting. Councillor Holland agreed to provide a briefing to all Members regarding Section 114 notices.

Resolved: (1) That the 2019/20 revenue out-turn for each service area set out in Table 1 in the body of the report and Appendix 1 to the main report be noted;  
(2) That it be noted that the underspend on the General Fund of £613k has resulted in an increase in the General Reserve to £7.2m and that the Chief Executive be asked to thank all staff for helping achieve this.  
(3) That the flexible use of capital receipts in 2019/20, as set out in Appendix 2 be noted  
(4) That the update on the impact of COVID-19 be noted.

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

## **7. Capital Monitoring - Outturn**

The Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills along with the Corporate Director of Finance and Assets submitted a joint report presenting the 2019/20 year end monitoring position for the Council's capital programme and some proposed changes to the programme.

Councillor Holland, the Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills, drew Members' attention to the additional money that had been received for highways maintenance as well as Section 106 developers' contributions for Coate.

Resolved: (1) That the 2019/20 year end position of the capital programme expenditure as set out in Tables 1 & 2 of the main report and Appendices 1 and 2 be noted.  
(2) That it be noted that there are no new variances to the programme as they have all been reported to Cabinet at previous meetings;  
(3) That the addition to the programme of a) £429k for Coate Water Country Park Improvements funded from S106 contributions and b) £2.016m for Highway maintenance including pothole repairs, carriageway resurfacing and traffic signal refurbishment funded through grant funding from the new Transport Infrastructure Investment Fund as detailed at paragraph 3.7 of the main report be approved.

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

## **8. Treasury Management out turn report**

The Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills along with the Corporate Director of Finance and Assets setting out the Treasury Management performance for 2019/20.

Councillor Bob Wright asked a question about which programmes had the additional the £20m borrowing been used to support. The Corporate Director of Finance and Assets undertook to provide a written response.

Resolved: That the 2019/20 Treasury Management performance as detailed at paragraphs 3.1 to 3.23 of the main report and the Prudential Indicators shown at Appendix 2 be noted.

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

## **9. Council's Waste Strategy: Year 2 Proposals**

The Cabinet Member for Highways, Maintenance and Waste Services along with the Director of Operations submitted a joint report that outlined the next steps in the delivery of the Council's waste strategy (agreed by the Council in 2018). The report responds to the Council's obligation to make every possible effort to achieve the national Government target of achieving a 60% recycling and composting rate by 2030. This is also complimentary to the Council's ambition to achieve zero carbon emissions by 2030.

Councillor Maureen Penny, the Cabinet Member for Highways, Maintenance and Waste Services, introduced the report and the Leader stated that responsibility for the strategy was now under Councillor Keith Williams, Cabinet Member for Climate Change.

Councillors Jim Grant and Bob Wright asked a number of questions relating to

- Whether the soft-market testing would be published
- Would outsourcing and changing collection frequencies be covered as part of the review
- The future roll-out of food waste collection
- The ability to deliver any changes within the current budget
- When Members would see specific options.

Councillor Williams responded at the meeting.

Resolved: (1) In accordance with the year 2 action plan of the Council's Waste Strategy, that it be agreed to the immediate commencement of an end to end review of waste operations, both collection and disposal, the outcomes of which will be reported back to the Cabinet Member for Highways, Maintenance and Waste Management, the Cabinet Member for Climate Change and the Cabinet Member for Commercialisation, Education and Skills. This will be informed by a soft market testing exercise to understand the options available to the Council in relation to co-mingled recyclates, disposal options for recycling and general waste as well as a full review of our current collection regime.

(2) That the Cabinet Member for Climate Change, in consultation with the Cabinet Member for Highways, Maintenance and Waste Management and the Cabinet Member for Commercialisation, Education and Skills, be authorised to determine the preferred options for the waste and recycling service providing that those options can be accommodated within the current budget for the service.

(3) That the Director of Operations be authorised then to implement the preferred options for the waste and recycling service provided that they can be accommodated within existing budget.

(4) That it be agreed to include the rollout plan for borough wide food waste collection in the review so that, following the successful trial with 11000 households, it can be rolled out across the borough as and when capacity in the waste team allows, providing it can be done within the current budget of the service.

(5) That the Director of Operations be authorised to extend the current food waste trial for households on the trial until the point at which a full scale food waste collection service can be rolled out across the borough.

(6) That officers be authorised to produce a comprehensive and proactive

communications campaign and action plan which includes further public engagement to gauge resident and stakeholder appetite and understanding of any potential changes to the service that may be considered in order to support a smooth transition to any proposed new service.

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

## **10. School Safe Environment Zone**

The Cabinet Member for Highways, Maintenance and Waste Services along with the Head of Highways & Transport submitted a joint report setting out proposals to deliver a 1 programme of road safety improvements outside schools over the next 5 years. The report also responds to Council's resolution in relating to a petition of 19<sup>th</sup> September 2019 that asked officers to bring a report to Cabinet outlining the road safety priorities for the Borough and for this report to consider the measures required for the Borough including Hay Lane (Council Minute 32, 2019/20 refers).

Councillor Maureen Penny, the Highways, Maintenance and Waste Services, summarised how the proposals would provide bespoke solutions based on clear criteria according to a priority list that would be reviewed annually. Councillor Dale Heenan, Cabinet Member for the Town Centre, Culture and Heritage along with Councillor Gary Sumner, Cabinet Member for Strategic Infrastructure, Transport, and Planning spoke in favour of the report. Councillor Bob Wright asked a question about providing education for motorists on the risks to children from cars, to which Councillor Penny responded at the meeting.

Resolved: (1) That it be agreed that the road safety improvements on Hay Lane, West Swindon as set out in paragraph 3.12 of this report be delivered and that the petitioners be advised accordingly.

(2) That the process set out in paragraphs 3.16 – 3.19 of this report to deliver road safety improvements outside schools across Swindon over a 5 year programme in line with the approved Capital programme be agreed.

(3) That the Head of Highways and Transport be authorised to implement the School Safe Environment Zones 5 year capital programme and to oversee the 5-year programme of road safety improvements outside schools across Swindon.

(4) That the Head of Highways and Transport, in consultation with the Cabinet Member, be authorised to oversee an annual review and update of the prioritised list of schools using the latest data available.

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

## **11. SEND Home to School Transport Policy 2021/22**

The Cabinet Member for Children's Services and the Interim SEND Lead submitted a joint report seeking Cabinet's agreement to approve the Special Educational Needs and Disability Home to School Transport Policy for 2021-22.

Councillor Mary Martin, the Cabinet Member for Children's Services, summarised how the proposals would clarify the support offered to young people as the criteria varied according to three age bands as well as how staff who were appropriately

qualified would be permitted to administer prescribed medication.

Resolved: (1) That the outcome of the consultation process and the revision to draft policy to make it more accessible as well as to set out how children and young people's medical needs would be met on transport be noted.

(2) That the Special Educational Needs and Disability Home to School Transport Policy for all applicants for 2021-22 be approved.

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

## **12. Councillors' Allowances 2020/21 - Recommendations of the Independent Remuneration Panel (Minute for Confirmation)**

The Leader of the Council and the Chief Legal Officer (Monitoring Officer) submitted a joint report inviting Cabinet to consider the recommendations of the Independent Remuneration Panel on Councillors' Allowances for 2021/2022. The Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills asked colleagues to thank the Independent Remuneration Panel members for their work in producing the recommendations.

Resolved: (1) That it be noted that the recommendations of the Independent Remuneration Panel on Councillors' Allowances for 2021/2022 were considered and recommend to Council that (Minute for Confirmation).

(2) The levels of Councillors' Basic Allowance, Special Responsibility Allowances, and Travel, Subsistence and Dependent Care Allowances remain unchanged for the 2021/2022 Municipal Year.

(3) The level of Basic Allowance be index linked to the percentage increase in pay awarded to officers in the national round for a period of four years (commencing in May 2021 and ending in May 2025).

(4) The Council be asked to take a view on the Panel investigating the introduction of a Parental Leave Policy for Councillors.

(5) The Chief Legal Officer be authorised to introduce a revised Councillors' Allowances Scheme for 2021/2022, as attached at Appendix One, 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. Swindon Town Deal Board**

The Leader of the Council and the Head of Strategic Growth and Place submitted a joint report to request authorisation for the use of capacity funding allocated by Government to Swindon Borough Council (a total of £173,029) for the purpose of setting up a Town Deal Board and developing a Town Investment Plan. The report also seek authorisation for the Council to accept the role of Accountable Body for the Towns Fund, as Lead Authority for Swindon, and to put in place the required governance arrangements.

Councillor Dale Heenan, Cabinet Member for the Town Centre, Culture, and Heritage, welcomed the report and the opportunity for the Board to bid for £25m of

funding. Councillors Jim Grant and Bob Wright asked questions relating to:

- Whether the Council's representation on the board should be cross party,
- How the Community Engagement was working to keep parishes and ward councillors informed, especially as the parish council representative did not come from a parish in the urban core,
- How a change in council administration might affect the Board's proposals.

The Leader of the Council responded at the meeting.

Resolved: (1) That the setting up of a Town Deal Board as detailed in this report be authorised subject to the following:-

- (a) Swindon Borough Council will act as the Accountable body,
  - (b) The Board Members will agree to abide by the Council's code of Conduct (attached at Appendix One),
  - (c) The Board Members will agree to be bound by the Council's whistleblowing policies.
  - (d) The Council will act as the administrator for the Board, with meetings being held in accordance with the provisions of the Local Government Act 1972 and included on the Council's website,
- (2) That the Head of Strategic Growth and Place, in consultation with the Corporate Director of Finance and Assets and the Leader of the Council, be authorised to authorise expenditure of capacity funding of £173,029 by the Swindon Town Deal Board as agreed by the Board.
  - (3) That the Chief Executive in consultation with the Leader be authorised to agree Heads of Terms with the Ministry of Housing, Communities, and Local Government (MHCLG) in order to receive project funding for specific projects as identified and by the Town Deal Board and agreed by MHCLG.
  - (4) That the Corporate Director of Finance and Assets (S.151 Officer) be authorised to provide a return to government on the progress of the Town Deal Board as required by guidance.

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